



Thomas J. Sniscak
(717) 236-1300 x224
tjsniscak@hmslegal.com

Christopher M. Arfaa
(717) 236-1300 x231
cmarfaa@hmslegal.com

William E. Lehman
(717) 236-1300 x248
welehman@hmslegal.com

100 North Tenth Street, Harrisburg, PA 17101 Phone: 717.236.1300 Fax: 717.236.4841 www.hmslegal.com

November 25, 2015

Via Electronic Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor (filing room)
PO Box 3265
Harrisburg, PA 17105-3265

Re: Joint Petition of Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company for Approval of Their Default Service Programs; Docket Nos. P-2015-2511333, P-2015-2511351, P-2015-2511355 and P-2015-2511356; **PREHEARING CONFERENCE MEMORANDUM**

Dear Secretary Chiavetta:

Enclosed you will find The Pennsylvania State University's Prehearing Conference Memorandum in the above-captioned matters. Copies have been served in accordance with the attached Certificate of Service.

Should you have any questions or comments, please feel free to contact me directly.

Very truly yours,

Thomas J. Sniscak
Christopher M. Arfaa
William E. Lehman

Counsel for The Pennsylvania State University

TJS/WEL/das
Enclosures

cc: Honorable David A. Salapa, Administrative Law Judge
Per the Certificate of Service

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of Metropolitan Edison Company for Approval of a Default Service Program for the Period Beginning June 1, 2017, through May 31, 2019	:	
	:	Docket Nos. P-2015-2511333
	:	
	:	
Petition of Pennsylvania Electric Company for Approval of a Default Service Program for the Period Beginning June 1, 2017, through May 31, 2019	:	
	:	P-2015-2511351
	:	
	:	
Petition of Pennsylvania Power Company for Approval of a Default Service Program for the Period Beginning June 1, 2017, through May 31, 2019	:	
	:	P-2015-2511355
	:	
	:	
Petition of West Penn Power Company for Approval of a Default Service Program for the Period Beginning June 1, 2017, through May 31, 2019	:	
	:	P-2015-2511356
	:	
	:	

**PREHEARING CONFERENCE MEMORANDUM OF
THE PENNSYLVANIA STATE UNIVERSITY**

TO: THE HONORABLE DAVID A. SALAPA:

On November 6, 2015, an Order was issued by the Pennsylvania Public Utility Commission (“Commission”) setting an Initial Prehearing Conference in the above-captioned proceeding for Tuesday, December 1, 2015 at 10:00 a.m. before the Honorable David A. Salapa. On November 6, 2015, Administrative Law Judge (“ALJ”) David A. Salapa issued a Prehearing Conference Order requiring each party to file a Prehearing Conference Memorandum by November 30, 2015.

The Pennsylvania State University (“PSU”), by and through its attorneys in this matter, Hawke McKeon & Sniscak LLP, hereby submits its Prehearing Conference Memorandum.

I. ACCEPTANCE OF SERVICE

Service of paper documents in this proceeding shall be accepted on behalf of PSU by:

Thomas J. Sniscak, Esquire
Hawke McKeon & Sniscak LLP
100 North Tenth Street
Harrisburg, PA 17101
Phone: 717-236-1300
Fax: 717-236-4841
tjsniscak@hmslegal.com
welehman@hmslegal.com

Counsel for PSU also requests that any electronic service list utilized by the parties in this proceeding include Thomas J. Sniscak (tjsniscak@hmslegal.com), Christopher M. Arfaa (cmarfaa@hsmlegal.com) and William E. Lehman (welehman@hmslegal.com). PSU is willing to extend the same courtesy upon request of any other party for any e-mails or electronic service to the parties.

II. SETTLEMENT

There have been no settlement discussions to date, but PSU is willing to participate in settlement discussions with the other parties.

III. DISCOVERY

PSU takes no position on modification of the discovery schedule at this time but is willing to work with the parties on mutually agreeable modifications.

IV. SCHEDULE

PSU is working with the other parties to develop a mutually satisfactory schedule for consideration by Your Honor at the Prehearing Conference.

V. WITNESSES

PSU reserves the right to offer the Direct Testimony of James L. Crist in support of its positions. Mr. Crist's business address, telephone number and e-mail address are:

James L. Crist
Lumen Group, Inc.
4226 Yarmouth Drive, Suite 101
Allison Park, PA 15101
(412) 487-9708
JLCrist@aol.com

PSU requests that copies of all interrogatories, answers to interrogatories, testimony and exhibits submitted (other than First Energy's initial filing materials) be e-mailed directly to Mr. Crist at JLCrist@aol.com.

If called, Mr. Crist may present testimony regarding the effect of First Energy's Default Service Plan on the service and rates provided to PSU and particularly regarding these issues as they relate to Tariff 38.

Additionally, PSU may offer the direct testimony of a member of its Office of Physical Plant - Energy and Engineering Division regarding rate and service issues created or raised by the filing and its offered supporting information. PSU reserves the right to present additional witnesses should its discovery or its review of responses to the discovery of other parties raise additional issues.

PSU reserves the right to adopt any testimony of other witnesses, in whole or in part, and to offer additional witnesses and exhibits as may be necessary to address the testimony, exhibits, or evidence that may be presented by any party in this proceeding.

VI. ISSUES

At this juncture, and subject to discovery and issues raised by PSU and by other parties, PSU intends to pursue the issue of the effect of First Energy's Default Service Plan on the service and rates provided to PSU and particularly regarding these issues as they relate to Tariff 38.

PSU's position will be finalized in its evidence and briefs submitted under the schedule developed in this case.

VII. EVIDENCE

PSU reserves the right to submit pre-filed direct testimony and associated exhibits addressing the issues identified in the preceding section. PSU may also present additional testimony and exhibits after discovery or in response to testimony or exhibits introduced by any party or witness in this proceeding.

WHEREFORE, The Pennsylvania State University respectfully submits this Prehearing Conference Memorandum.

Respectfully submitted,



Thomas J. Sniscak, Attorney I.D. # 33891
Christopher M. Arfaa, Attorney ID No. 57047
William E. Lehman, Attorney I.D. # 83936
Hawke McKeon & Sniscak LLP
100 North Tenth Street
Harrisburg, PA 17101
tjsniscak@hmslegal.com
cmarfaa@hmslegal.com
welehman@hmslegal.com
Telephone: (717) 236-1300
Facsimile: (717) 236-4841

*Counsel for
The Pennsylvania State University*

Dated: November 30, 2015

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

VIA FIRST CLASS U.S. MAIL AND ELECTRONIC MAIL

Tori L. Giesler, Esquire
FirstEnergy Service Company
2800 Pottsville Pike
P.O. Box 16001
Reading, PA 19612-6001
Tgiesler@firstenergycorp.com

Tanya J. McCloskey
Office of Consumer Advocate
555 Walnut Street
5th Floor Forum Place
Harrisburg, PA 17101
tmccloskey@paoca.org

Daniel G. Asmus
John Evans
Office of Small Business Advocate
Suite 1102 Commerce Building
300 North Second Street
Harrisburg, PA 17101
dasmus@pa.gov
jorevans@pa.gov

Johnnie E. Simms
PA Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, Pa 17105-3265
josimms@pa.gov

Harry S. Geller, Esquire
Patrick M. Cicero, Esquire
Pennsylvania Utility Law Project
118 Locust Street
Harrisburg, PA 17101
hgellerpulp@palegalaid.net
pciceropulp@palegalaid.net

Deanne M. O'Dell
Eckert Seamans Cherin & Mellott, LLC
213 Market Street, 8th Floor
P.O. Box 1248
Harrisburg, PA 17101
dodell@eckertseamans.com
Counsel for RESA

Charis Mincavage, Esquire
Susan East Bruce, Esquire
Vasiliki Karandrikas, Esquire
Teresa K. Schmittberger, Esquire
McNees Wallace & Nurick, LLC
PO Box 1166
Harrisburg, PA 17108-1166
Cmincavage@mwn.com
vkandrikas@mwn.com
sbruce@mwn.com
tschmittberger@mwn.com
*Counsel for MEIUG/PICA/PPUG
and WPPII*

Todd S. Stewart, Esquire
Hawke McKeon & Sniscak LLP
100 North Tenth Street
Harrisburg, PA 17101
tisstewart@hmslegal.com
*Counsel for NextEra Energy Power Marketing,
LLC*



Thomas J. Sniscak
Christopher M. Arfaa
William E. Lehman

Dated this 25th day of November, 2015