



SPILMAN THOMAS & BATTLE, PLLC
ATTORNEYS AT LAW

Barry A. Naum
Direct Dial (717) 795-2742
bnaum@spilmanlaw.com

January 4, 2016

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

VIA ELECTRONIC FILING

**Re: Petition of Duquesne Light Company for Approval of its Act 129 Phase III
Energy Efficiency and Conservation Plan;
Docket No. M-2015-2515375**

Dear Secretary Chiavetta:

Please find attached for filing with the Pennsylvania Public Utility Commission ("PUC" or "Commission") the Prehearing Memorandum of Wal-Mart Stores East, LP and Sam's East, Inc. (collectively, "Walmart"), in the above-referenced matter.

This document was filed electronically with the Commission on this date. All parties are being served a copy of this document in accordance with the enclosed Certificate of Service.

Please contact me if you have any questions concerning this filing.

Sincerely,

SPILMAN THOMAS & BATTLE, PLLC

By

Derrick Price Williamson
Barry A. Naum

BAN/sds

Enclosures

c: Administrative Law Judge Katrina L. Dunderdale (via E-mail and First-Class Mail)
Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Duquesne Light Company For :
Approval of its Phase III Energy Efficiency : Docket No. M-2015-2515375
and Conservation Plan :

CERTIFICATE OF SERVICE

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

VIA E-MAIL & FIRST-CLASS MAIL

Robert Hoaglund, Esquire
Assistant General Counsel
Duquesne Light Company
411 Seventh Avenue
Pittsburgh, PA 15219
rhoaglund@duqlight.com

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

Linda R. Evers, Esquire
Stevens & Lee, P.C.
111 N. Sixth Street
P.O. Box 679
Reading, PA 19601
lre@stevenslee.com

Darryl Lawrence, Esquire
Lauren M. Burge, Esquire
Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101
dlawrence@paoca.org
lburge@paoca.org

Michael A. Gruin, Esquire
Stevens & Lee, P.C.
17 North Second Street, 16th Floor
Harrisburg, PA 17101
mag@stevenslee.com

Elizabeth Rose Triscari, Esquire
Office of Small Business Advocate
Commerce Building, Suite 202
300 North Second Street
Harrisburg, PA 17101
etriscari@pa.gov

Patrick M. Cicero, Esquire
Joline Price, Esquire
Elizabeth R. Marx, Esquire
Pennsylvania Utility Law Project
118 Locust Street
Harrisburg, PA 17101
pulp@palegalaid.net

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Pamela C. Polacek, Esquire
Teresa K. Schmittberger, Esquire
McNees Wallace & Nurick LLC
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166
ppolacek@mwn.com
tschmittberger@mwn.com

Theodore S. Robinson, Esquire
Citizen Power, Inc.
2121 Murray Avenue
Pittsburgh, PA 15217
robinson@citizenpower.com

Joseph L. Vullo, Esquire
Burke Vullo Reilly Roberts
1460 Wyoming Avenue
Forty Fort, PA 18704
Jlvullo@aol.com

Carl R. Shultz, Esquire
Eckert Seamans Cherin & Mellott, LLC
213 Market Street, 8th Floor
Harrisburg, PA 17101
cshultz@eckertseamans.com



Barry A. Naum

Dated: January 4, 2016

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Duquesne Light Company For :
Approval of its Phase III Energy Efficiency : Docket No. M-2015-2515375
and Conservation Plan :

**PREHEARING CONFERENCE MEMORANDUM OF
WAL-MART STORES EAST, LP AND SAM'S EAST, INC.**

Wal-Mart Stores East, LP and Sam's East, Inc. (collectively, "Walmart"), hereby submit this Prehearing Memorandum in the above-captioned proceeding.

I. HISTORY OF THE PROCEEDING

On November 25, 2015, Duquesne Light Company ("Duquesne" or "Company"), filed with the Pennsylvania Public Utility Commission ("PUC" or "Commission") a Petition for approval of the Company's Phase III Energy Efficiency and Conservation ("EE&C") Plan ("Phase III Plan" or "Plan"), pursuant to the requirements of Act 129 of 2008, 66 Pa. C.S. § 2806.1 ("Act 129") and the PUC's Implementation Order entered on June 11, 2015, at Docket No. M-2014-2424864. On December 30, 2015, Walmart filed a Petition to Intervene to participate in this proceeding. A description of Walmart is set forth in its Petition to Intervene.

II. REPRESENTATION AND SERVICE CONTACT

Walmart is represented by counsel with contact information as follows:

Derrick Price Williamson
Barry A. Naum
SPILMAN THOMAS & BATTLE, PLLC
1100 Bent Creek Boulevard, Suite 101
Mechanicsburg, PA 17050
Phone: (717) 795-2740
Fax: (717) 795-2743
dwilliamson@spilmanlaw.com
bnaum@spilmanlaw.com

III. ANTICIPATED ISSUES

Walmart is still evaluating Duquesne's Phase III Plan and anticipates being informed by the record created in this case. At this preliminary stage, however, Walmart plans to pay careful attention to the issue of whether the Phase III Plan will ensure and affirm Walmart's flexibility of participation and preserve choices between various state and regional energy efficiency and demand response programs. Walmart anticipates pursuing this issue during this proceeding and reserves the right to raise further issues and to respond to all matters raised by other parties.

IV. PROPOSED WITNESSES AND EVIDENCE

Walmart is still in the process of evaluating whether it will sponsor testimony in this proceeding. In the event Walmart decides to sponsor testimony, Walmart will promptly inform parties and the ALJ of its witness(es) and topics of testimony. Walmart, however, reserves the right to participate in this proceeding and adduce evidence through the submission of discovery, cross-examination of other parties' witnesses, and the submission of briefs, exceptions and reply exceptions, if necessary.

V. PROPOSED SCHEDULE AND DISCOVERY RULES

Walmart will cooperate with the ALJ and the parties to formulate a reasonable procedural schedule and discovery rules in accordance with the Commission's regulations and ALJ directives.

VI. SETTLEMENT

Walmart is willing to participate in settlement discussions so as to narrow or resolve issues in dispute among the parties.

Respectfully submitted,

By 

Derrick Price Williamson (Pa. I.D. No. 69274)
Barry A. Naum (Pa. I.D. No. 204869)
SPILMAN THOMAS & BATTLE, PLLC
1100 Bent Creek Boulevard, Suite 101
Mechanicsburg, PA 17050
Phone: (717) 795-2740
Fax: (717) 795-2743
dwilliamson@spilmanlaw.com
bnaum@spilmanlaw.com

Counsel to Wal-Mart Stores East, LP and Sam's East, Inc.

Dated: January 4, 2016