

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Petition of Duquesne Light Company for  
Approval of a Default Service Plan  
for the Period June 1, 2016 to May 31,  
2021**

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**P-2016-2543140**

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**PREHEARING MEMORANDUM OF  
EXELON GENERATION COMPANY, LLC**

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Before the Pennsylvania Public Utility Commission (the “Commission”), pursuant to 52 Pa. Code §§ 5.222, Exelon Generation Company, LLC (“ExGen”), by its undersigned counsel, hereby respectfully submits this Prehearing Memorandum:

**I. INTRODUCTION**

On May 2, 2016, Duquesne Light Company (“Duquesne”) filed a Petition for Approval of a Default Service Program and Procurement Plan for the period June 1, 2017 through May 31, 2021 (“Plan”). As averred in its petition to intervene, Exelon Generation Company, LLC (“ExGen”) seeks to become a party to this proceeding to ensure that its interests as a wholesale supplier of electricity are adequately represented through the Commission’s review of Dusquesne’s DSP.

**II. SERVICE ON EXGEN**

ExGen consents to accept electronic delivery documents on the deadlines for their filing.

ExGen respectfully requests that service be made to the following individual:

H. Rachel Smith  
Asst. General Counsel  
Exelon Business Services Corp.  
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with a courtesy copy sent electronically to [lael.campbell@constellation.com](mailto:lael.campbell@constellation.com).

### **III. IDENTIFICATION OF ISSUES**

ExGen is at this time still formulating its position on the issues presented by the Plan. Based on a preliminary review of the Plan, ExGen expects that potential issues in this proceeding will include but not be limited to: (i) the manner in which Duquesne is proposing to conduct default service procurements for various customer classes under the Plan; (ii) the manner in which the Plan hinders or supports the development of competition in Duquesne's service territory, while preserving benefits from well-developed default service offerings for customers; (iii) whether the Plan is consistent with Act 129, the Commission's recent orders regarding the retail markets, and other applicable rules; and (iv) default service supply contract and other operational and data issues and their impact on wholesale suppliers. ExGen reserves the right to address other issues as it deems appropriate.

### **III. WITNESSES AND DISCOVERY**

ExGen reserves the right to present in this proceeding direct, rebuttal, and surrebuttal fact and expert testimony, to the extent it deems necessary. At the time of this filing, ExGen does not necessarily plan to present expert testimony, however should it do so it would most likely present on some of the issues identified in the previous paragraph:

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In the event ExGen chooses a different expert witness, it will notify the Administrative Law Judge and all parties as soon as practicable. Once discovery has begun and the positions of all

parties to this proceeding have been made known, ExGen will notify the Administrative Law Judge and all parties of the identities of any additional witnesses it intends to call.

ExGen agrees to adhere to the discovery procedures set forth in 52 PA Code §§ 5.321-5.373, and is willing to the extent it is able, to cooperate and exchange information on an informal basis, per the ALJ's request.

#### **IV. REMAINING PRE-HEARING CONFERENCE ISSUES**

Settlements often represent expeditious and less costly means of resolving issues raised in petitions before this Commission. ExGen, per the Pre-Hearing Conference Order, states its willingness to participate in settlement discussions. At the time of filing, it appears that a schedule has not yet been proposed for testimony, hearings and briefings in this matter. ExGen is amenable to any proposed schedule, subject to availability of ExGen Witness Campbell, whose schedule to the extent practicable will be modified to meet the needs of the Commission and parties.

**V. CONCLUSION**

WHEREFORE, for all the foregoing reasons, Exelon Generation Company, LLC respectfully requests that its Prehearing Memorandum be entered in to the record of this proceeding.

Respectfully submitted,

/s/ H. Rachel Smith

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*Counsel to Intervenor Exelon Generation Company,  
LLC.*

Dated: June 6, 2016