



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE  
REFER TO OUR FILE

June 16, 2016

Secretary Rosemary Chiavetta  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Re: Pennsylvania Public Utility Commission v.  
West Penn Power Company  
Docket No. R-2016-2537359

Dear Secretary Chiavetta:

Enclosed please find the Bureau of Investigation and Enforcement's (I&E) **Prehearing Memorandum** in the above-captioned proceeding.

Copies are being served on parties as identified in the attached certificate of service. If you have any questions, please contact me at (717) 783-7998.

Sincerely,

Allison C. Kaster  
Senior Prosecutor  
Bureau of Investigation and Enforcement  
PA Attorney I.D. #93176

Gina L. Lauffer  
Prosecutor  
Bureau of Investigation and Enforcement  
PA Attorney I.D. #313863

ACK/sea  
Enclosure

cc: Certificate of Service  
ALJ Mary D. Long

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission :  
 :  
 v. : Docket No. R-2016-2537359  
 :  
 West Penn Power Company :

**CERTIFICATE OF SERVICE**

I hereby certify that I am serving the foregoing **Prehearing Memorandum** dated June 16, 2016, in the manner and upon the persons listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party):

**Served via Electronic and First Class Mail**

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A handwritten signature in black ink, appearing to read 'Allison C. Kaster', written above a horizontal line.

Allison C. Kaster  
Senior Prosecutor  
Bureau of Investigation and Enforcement  
PA Attorney I.D. #93176

Gina L. Lauffer  
Prosecutor  
Bureau of Investigation and Enforcement  
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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission	:	
	:	
v.	:	R-2016-2537359
	:	
West Penn Power Company	:	

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PREHEARING MEMORANDUM  
OF THE  
BUREAU OF INVESTIGATION AND ENFORCEMENT

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TO ADMINISTRATIVE LAW JUDGE MARY D. LONG:

Pursuant to the Prehearing Order dated June 9, 2016, the Bureau of Investigation and Enforcement (“I&E”) of the Pennsylvania Public Utility Commission (“Commission”) respectfully submits the following Prehearing Memorandum in the above-captioned proceeding.

I. BACKGROUND

On April 28, 2016, West Penn Power Company (“West Penn” or “Company”) filed Supplement No. 10 to West Penn’s Tariff Electric – Pa. P.U.C. No. 38 and Supplement No. 15 to West Penn’s Tariff Electric – Pa. P.U.C. No. 40, proposing an annual increase in rates of \$98.2 million (5.51%).

By Order entered June 9, 2016, the Commission instituted an investigation to determine the lawfulness, justness and reasonableness of the Company’s existing and

proposed rates, rules and regulations. Pursuant to 66 Pa. C.S. §1308(d), the filing will be suspended by operation of law on June 27, 2016, until January 27, 2017, unless permitted by Commission Order to become effective at an earlier date.

I&E filed its Notice of Appearance on May 12, 2016.

A telephonic Prehearing Conference is scheduled at 10:00 am on Friday, June 17, 2016, with Administrative Law Judge Mary D. Long presiding.

## II. SERVICE ON I&E

The Bureau of Investigation and Enforcement Prosecutors in these proceedings are Allison C. Kaster and Gina L. Lauffer. Contact information is as follows:

By mail:	Allison C. Kaster, Esquire Gina L. Lauffer, Esquire Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105-3265
By e-mail:	akaster@pa.gov ginlauffer@pa.gov
By telephone:	(717) 783-7998 (717) 787-8754
By fax:	(717) 772-2677

I&E requests that electronic transmittal of materials, followed by hard copy delivery via first-class mail, satisfy the service requirement.

### III. ISSUES

The following list represents I&E's preliminary determination of potential issues in this proceeding. The listing is as complete as can be made at this time; however, I&E reserves the right to address other issues if any such relevant issues arise:

#### Rate of Return

- Overall Rate of Return
- Capital Structure
- Cost of Debt
- Cost of Common Equity

#### O&M

- Salaries/Wages
- Administrative & General Expenses
- Rate Case Expense
- Taxes
- Pension Expense
- Affiliate Charges
- Cash Working Capital
- Advertising Expenses
- Outside Services
- Uncollectible Expense

#### Rate Structure/Rate Design

- Cost of Service
- Customer Charges and Customer Cost Analysis
- Customer/Usage Projections
- Normalized Sales and Revenues
- Revenue Allocation

#### Rate Base

- Plant Additions/Retirements
- Adjustments to Budgeted Rate Base Data
- Legacy Meters
- Customer Deposits
- Depreciation Reserve
- Materials & Supplies
- Smart Meter Service Lives

#### IV. WITNESSES

The witness list provided below is without the benefit of complete discovery or analysis of the positions of potential other parties to this proceeding. Accordingly, I&E reserves the right to call additional witnesses or withdraw the name of the witnesses listed:

Kokou Apetoh, Fixed Utility Valuation Engineer: Rate Base

Lisa Gumby, Fixed Utility Valuation Engineer: O&M Expenses

Jeremy Hubert, Fixed Utility Valuation Engineer: Rate Structure/Rate Design

Rachel Maurer, Fixed Utility Financial Analyst: Rate of Return

#### V. DISCOVERY

Pursuant to 52 Pa. Code §§5.322 and 5.331(b), discovery has begun and is ongoing. I&E does not recommend any modifications to the Commission's discovery rules.

#### VI. SCHEDULE

I&E is currently working with the other parties to develop a mutually agreeable procedural schedule.

VII. SETTLEMENT

I&E is willing to make good faith efforts to successfully resolve this matter through settlement. In the event settlement discussions fail to result in a full and complete resolution of the matter, I&E is prepared to fully or partially litigate this proceeding.

Respectfully Submitted,



Allison C. Kaster  
Senior Prosecutor  
PA Attorney I.D. # 93176

Gina L. Lauffer  
Prosecutor  
PA Attorney I.D. # 313863

Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
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Dated: June 16, 2016