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August 26, 2016

VIA E-FILING

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

Re: Application of Fair View Energy, Inc. for Approval to Offer, Render, Furnish or Supply Electricity or Electric Generation Services as a Broker/Marketer to the Public in the Commonwealth of Pennsylvania; Docket No. A-2016-2558553

Dear Secretary Chiavetta:

On July 25, 2016, Fair View Energy, Inc. ("Fair View") filed the above-captioned application for an electric generation supplier ("EGS") license to operate as a broker/marketer in Pennsylvania. The application was protested by a licensed EGS, Front Line Power Solutions (Utility Code: 1115708). On August 5, 2016, Fair View filed an answer to the protest pursuant to Section 54.36 of the Commission's regulations, 52 Pa. Code § 54.36.

Consistent with those regulations and the Commission's Final Rulemaking Order in the matter of *Licensing Requirements for Electric Generation Suppliers*, Docket No. L-970129 (Order entered on August 23, 1998), 28 Pa. Bulletin 3760, Fair View's answer sought dismissal of the protest for failure to comply with the regulations and because it is a competitive protest. Fair View was hopeful that the protest and application would be handled through the streamlined approach set forth in the EGS licensing regulations, with advisory staff preparing a recommendation for the Commission to address both the protest and the application.

Unfortunately, a review of the Commission's docket shows that the application has been reassigned to the Office of Administrative Law Judge ("OALJ"). While Fair View continues to believe that the protest should have been dismissed outright so as not to unnecessarily delay the processing of the application, Fair View urges the Commission to follow the most expeditious approach possible in adjudicating this matter. Specifically, Fair View respectfully requests that the OALJ forego the issuance of an Initial Decision or Interim Order addressing the request in

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Fair View's answer for the protest to be dismissed outright. Instead, Fair View respectfully asks that the OALJ schedule a hearing on the protest on an expedited basis and address both dismissal of the protest and the merits of the application in an Initial Decision that is issued after the close of the evidentiary record.

In the answer to the protest, Fair View proposed an expedited schedule that would have resulted in the adoption of a Commission order by November 9, 2016. Given the referral to the OALJ, the proposed schedule set forth in the answer is likely not feasible. Alternatively, Fair View respectfully requests that: (i) a hearing be scheduled by September 30, 2016; (ii) an initial decision be served by October 31, 2016; (iii) abbreviated Exception and Reply Exception periods be imposed; and (iv) adoption of a Commission order by December 8, 2016. Absent an expedited schedule, the Commission would permit a single business, for its own competitive reasons, to unfairly abuse the Commission's licensing process to unreasonably delay a review of Fair View's application.

Thank you for your attention to this matter. Please contact me if you have any questions.

Sincerely,



Karen O. Moury

cc: Charles E. Rainey, Jr., Chief Administrative Law Judge
Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Fair View Energy, Inc. for :
Approval to Offer, Render, Furnish or Supply :
Electricity or Electric Generation Services : Docket No. A-2016-2558553
As a Broker/Marketer to the Public in the :
Commonwealth of Pennsylvania :

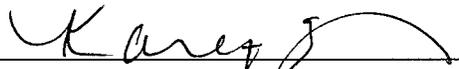
CERTIFICATE OF SERVICE

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 § 1.54 (relating to service by a party).

VIA EMAIL FIRST CLASS MAIL

John Holmes, CEO
Frontline Power Solutions
400 Metacom Avenue
Bristol, RI 02809
johnholmes@frontlinepowersolutions.com

Dated: August 26, 2016



Karen O. Moury