PENNSYLVANIA

PUBLIC UTILITY COMMISSION

Harrisburg, PA 17105-3265

Public Meeting held May 18, 2017

Commissioners Present:

Gladys M. Brown, Chairman

Andrew G. Place, Vice Chairman

John F. Coleman, Jr.

Robert F. Powelson

David W. Sweet

Pennsylvania Public Utility Commission R-2016-2537349

Office of Small Business Advocate C-2016-2544355

Office of Consumer Advocate C-2016-2543247

Met-Ed Industrial Users Group C-2016-2549787

David Johnson C-2016-2565550

Jeanette Lippy C-2016-2549370

Dennis Miller C-2016-2551248

John O’Mara C-2016-2556970

 v.

Metropolitan Edison Company

Pennsylvania Public Utility Commission R-2016-2537352

Office of Small Business Advocate C-2016-2544356

Office of Consumer Advocate C-2016-2543266

Penelec Industrial Customer Alliance C-2016-2549792

Borough of Athens C-2016-2552366

Borough of South Waverly C-2016-2552369

Borough of Sayre C-2016-2553194

Larry Cole C-2016-2551244

Larry Gates C-2016-2552878

Kenneth Hall C-2016-2551643

Eric Hetrick C-2016-2551207

Kim Hillegass C-2016-2553215

Charles Hoover C-2016-2560032

Maureen Hoover C-2016-2552615

Robert Moore C-2016-2551236

Janine & Jeff Riblett C-2016-2550110

Kenneth Springirth C-2016-2546231

Rebecca Stiles C-2016-2551230

Nicholson Borough C-2016-2560016

 v.

Pennsylvania Electric Company

Pennsylvania Public Utility Commission R-2016-2537355

Office of Small Business Advocate C-2016-2544358

Office of Consumer Advocate C-2016-2543268

John Catterson C-2016-2552384

Richard Collins C-2016-2547484

Roland Gassman C-2016-2553461

John McDowell C-2016-2551614

 v.

Pennsylvania Power Company

Pennsylvania Public Utility Commission R-2016-2537359

Office of Small Business Advocate C-2016-2544359

Office of Consumer Advocate C-2016-2543315

West Penn Power Industrial Intervenors C-2016-2549413

Jean Bitner C-2016-2554871

Mary Ellen McConnell C-2016-2552601

Troy Mckenzie C-2016-2553313

Eleanor Pinchok C-2016-2555095

Robert Redinger, Jr. C-2016-2542278

Kathleen Tretinik C-2016-2552271

Worthington Boro Street Lights C-2016-2548424

 v.

West Penn Power Company

**OPINION AND ORDER**

**BY THE COMMISSION:**

Before the Commission for consideration and disposition is a Petition for Reconsideration or Clarification (Petition) filed by the Office of Consumer Advocate (OCA) on February 3, 2017, seeking reconsideration and/or clarification of the Opinion and Order entered on January 19, 2017 *(January 2017 Order)*, relative to the above-captioned proceeding. On February 10, 2017, Metropolitan Edison Company (Met-Ed), Pennsylvania Electric Company (Penelec), Pennsylvania Power Company (Penn Power) and West Penn Power Company (West Penn) (collectively, the FirstEnergy Companies or the Companies) filed a letter stating that they do not object to the Petition (Companies’ No Objection Letter). For the reasons stated below, we shall grant the Petition.

# History of the Proceeding

On April 28, 2016, each of the aforementioned FirstEnergy Companies filed a request for a general base rate increase. Met-Ed filed Supplement No. 23 to Met-Ed’s Tariff – Electric Pa. P.U.C. No. 52, proposing an increase in its annual distribution revenues of $140.2 million or 9.53% of its total electric operating revenues. Penelec filed Supplement No. 23 to Penelec’s Tariff – Electric Pa. P.U.C. No. 81, proposing an increase in its annual distribution revenues of $158.8 million or 11.42% of its total electric operating revenues. Penn Power filed Supplement No. 17 to Penn Power’ s Tariff – Electric Pa. P.U.C. No. 36, proposing an increase in its annual distribution revenues of $42 million or 9.57% of its total electric operating revenues. West Penn filed Supplement No. 10 to West Penn Power’s Tariff – Electric Pa. P.U.C. No. 38 and Supplement No. 15 to West Penn Power’s Tariff – Electric Pa. P.U.C. No. 40, proposing an increase in its annual distribution revenues of $98.2 million or 5.74% of its total electric operating revenues. All four tariff supplements were filed to become effective on June 27, 2016.

 On May 3, 2016, the OCA filed Formal Complaints against the proposed rate increases.[[1]](#footnote-2) Numerous other Parties filed Formal Complaints or Petitions to Intervene against the rate increases, including the following: the Commission’s Bureau of Investigation and Enforcement (I&E), the Office of Small Business Advocate (OSBA),[[2]](#footnote-3)

AK Steel Corporation (AK Steel),[[3]](#footnote-4) the Environmental Defense Fund (EDF),[[4]](#footnote-5) the International Brotherhood of Electrical Workers, Local 459 (IBEW),[[5]](#footnote-6) North American Hoganas Holdings, Inc. (NAH),[[6]](#footnote-7) the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA), the Clean Air Council (CAC), Citizens for Pennsylvania’s Future (Penn Future), the Pennsylvania State University (PSU), Wal-Mart Stores East and Sam’s Club (Walmart), and West Penn Industrial Intervenors (WPII) at C-2016-2549413; the Met-Ed Industrial Users Group (MEIUG) at C-2016-2549787; and Penelec Industrial Customer Alliance (PICA) at C-2016-2549792 (collectively, the Industrials). Formal Complaints were also filed by the Boroughs of Athens, South Waverly and Sayre,[[7]](#footnote-8) Nicholson Borough at C-2016-2560016,[[8]](#footnote-9) Worthington Borough Street Lights at C-2016-2548424,[[9]](#footnote-10) and numerous individuals.

 By order entered June 9, 2016, the Commission suspended the filings pursuant to Section 1308(d) of the Public Utility Code (Code), 66 Pa. C.S. § 1308(d), for investigation to determine the lawfulness, justness and reasonableness of the rates, until January 27, 2017, unless permitted by Commission Order to become effective at an earlier date. On the same day, the Commission also entered separate orders approving the Petitions of the Companies to establish Distribution System Improvement Charge (DSIC) Riders (Companies’ DSIC Rider Petitions),[[10]](#footnote-11) subject to recoupment and/or refund pending final resolution of certain issues in the Companies’ DSIC Rider Petitions.[[11]](#footnote-12)

On June 12, 2016, Act 40 was signed into law, effective in sixty days (i.e., on August 11, 2016). Act 40 added Section 1301.1 to the Code, which states as follows:

**1301.1. Computation of income tax expense for rate-making purposes.**

(a) Computation. – If an expense or investment is allowed to be included in a public utility’s rates for ratemaking purposes, the related income tax deductions and credits shall also be included in the computation of current or deferred income tax expense to reduce rates. If an expense or investment is not allowed to be included in a public utility’s rates, the related income tax deductions and credits, including tax losses of the public utility’s parent or affiliated companies, shall not be included in the computation of income tax expense to reduce rates. The deferred income taxes used to determine the rate base of a public utility for ratemaking purposes shall be based solely on the tax deductions and credits received by the public utility and shall not include any deductions or credits generated by the expenses or investments of a public utility’s parent or any affiliated entity. The income tax expense shall be computed using the applicable statutory income tax rates.

(b) Revenue use. - If a differential accrues to a public utility resulting from applying the ratemaking methods employed by the commission prior to the effective date of subsection (a) for ratemaking purposes, the differential shall be used as follows:

 (1) Fifty percent to support reliability or infrastructure related to the rate base eligible capital investment as determined by the commission; and

 (2) Fifty percent for general corporate purposes.

On June 17, 2016, ALJ Mary D. Long convened a Prehearing Conference. At the Prehearing Conference, the Parties requested that the base rate proceedings be consolidated. Counsel for the Companies explained that the approach to calculating the various elements of the rates were consistent across all four Companies even though the final numbers would be unique to each company. The Parties in attendance at the Prehearing Conference supported the Companies’ proposal and the cases were consolidated.

 Between July 21, 2016 and August 18, 2016, twelve public input hearings were held at seven different locations throughout the Companies’ service territories. The dates, times and locations of the public input hearings were established in Notices issued by the Commission on July 5 and 12, 2016, in the consolidated docket.

On September 7, 2016, in accordance with the litigation schedule established at the Prehearing Conference, the ALJ convened an evidentiary hearing. Although the Parties had not achieved an agreement on all of the issues raised in the proceeding, all Parties agreed to waive the cross-examination of witnesses. Any argument necessary on unresolved claims would rely solely on the written testimony admitted into the record. Accordingly, the written testimonies of the Companies,[[12]](#footnote-13) I&E, the OCA, the OSBA, the Industrials, AK Steel, CAUSE-PA, PSU and Walmart were admitted into the record. The Parties agreed that a separate petition for settlement would be filed for each company, but that each Party would file one omnibus statement in support of the settlement and one brief on the unresolved issues that would address all four Companies.

On September 30, 2016, the Companies and the OCA filed Main Briefs on the treatment of Adjusted Deferred Income Tax (ADIT) in the Companies’ DSIC Rider Petition under Act 40. No other Party took a position or filed a brief on this issue. Reply Briefs were filed on October 14, 2016.

On October 14, 2016, Joint Petitions for Partial Settlement (Partial Settlements) for each of the four Companies were filed.[[13]](#footnote-14) The only issue which was not resolved in the Partial Settlements was the treatment of ADIT in each Company’s DSIC Rider. The outstanding contested issue involved whether Act 40 required an ADIT offset to be included in any DSIC rate charged to customers.[[14]](#footnote-15) The Joint Petitioners to the Met-Ed Partial Settlement included I&E, the OCA, the OSBA, MEIUG, CAUSE-PA, and Walmart. EDF, Penn Future, CAC, and PSU did not oppose the Settlement. The Joint Petitioners to the Penelec Partial Settlement included I&E, the OCA, the OSBA, PICA, CAUSE-PA, Walmart and NAH. IBEW, Penn Future, CAC and PSU did not oppose the Settlement. The Joint Petitioners to the Penn Power Partial Settlement included I&E, the OCA, the OSBA, CAUSE-PA and Walmart. Penn Future, CAC and PSU did not oppose the Settlement. The Joint Petitioners to the West Penn Partial Settlement included I&E, the OCA, the OSBA, WPII, CAUSE-PA, Walmart, PSU, and AK Steel. Penn Future and CAC did not oppose the Settlement.

 On October 17, 2016, the Parties who did not actively participate in the litigation were provided an opportunity to join or object to the Partial Settlements. Responses to the Partial Settlements were due on or before October 28, 2016. By letters dated October 27, 2016, the Boroughs of South Waverly, Athens, Sayre and Nicholson joined the Partial Settlement of Penelec’s base rates. No other complainant responded. The record was closed on October 31, 2016. The record includes a 674-page transcript and the Parties’ testimonies and exhibits.

 By Recommended Decision (R.D.), issued on November 21, 2016, ALJ Long recommended approval of the Partial Settlements without modification. R.D. at 89-91, 97. Exceptions to the Recommended Decision were filed by the OCA on December 1, 2016. Replies to Exceptions were filed on December 8, 2016, by the Companies.

In our *January 2017 Order*, we (1) adopted the ALJ’s recommendation to approve the Partial Settlements without modification; (2) granted, in part, the Exceptions filed by the OCA, to the extent that we were referring the contested issue to the *DSIC Proceedings* and transferring the record in this proceeding regarding the contested issue to the record of the *DSIC Proceedings*; and (3) modified the ALJ’s recommendation to dismiss without prejudice the OCA’s claim regarding the calculation of ADIT in the Companies’ DSIC Riders. *January 2017 Order* at 41-46.

On February 2, 2017, the Parties to the *DSIC Proceedings* filed a Joint Petition for Settlement of Pending Issues (DSIC Settlement), which encompasses only those issues referred to the Office of the Administrative Law Judge (OALJ) by the *Companies’ DSIC Orders*, and requested that the ALJ approve the DSIC Settlement without modification. No decision has been made as of yet on the DSIC Settlement.

 As previously noted, the OCA filed its Petition on February 3, 2017. On February 10, 2017, the Companies filed a letter indicating they do not object to the Petition. By Order entered February 9, 2017, we granted the Petition, pending further review of, and consideration on, the merits.

**Discussion**

**Legal Standards**

 The Code establishes a party’s right to seek relief following the issuance of our final decisions pursuant to Subsection 703(f), relating to rehearing, as well as Subsection 703(g), relating to the rescission and amendment of orders. 66 Pa. C.S. § 703(f) and § 703(g). Such requests for relief must be consistent with Section 5.572 of our Regulations, relating to petitions for relief following the issuance of a final decision. 52 Pa. Code § 5.572

 The standards for granting a Petition for Reconsideration were set forth in *Duick v. Pennsylvania Gas and Water Company*, 56 Pa. P.U.C. 553 (1982):

A Petition for Reconsideration, under the provisions of 66 Pa. C.S. § 703(g), may properly raise any matters designed to convince the Commission that it should exercise its discretion under this code section to rescind or amend a prior order in whole or in part. In this regard we agree with the Court in the Pennsyl­vania Railroad Company case, wherein it was stated that “[p]arties . . . , cannot be permitted by a second motion to review and reconsider, to raise the same questions which were specifically decided against them . . . .” What we expect to see raised in such petitions are new and novel arguments, not previously heard, or considera­tions which appear to have been overlooked by the Commission.

*Duick,* 56 Pa. P.U.C. at 559 (quoting *Pennsylvania Railroad Co. v. Pennsylvania Public Service Commission*, 179 A. 850, 854 (Pa. Super. 1935)).

 Under the standards of *Duick*, a petition for reconsideration may properly raise any matter designed to convince this Commission that we should exercise our discretion to amend or rescind a prior Order, in whole or in part. Such petitions are likely to succeed only when they raise “new and novel arguments” not previously heard, or considerations which appear to have been overlooked or not addressed by the Commission. *Duick*, 56 Pa. P.U.C. at 559.

 Before addressing the Petition, we note that any issue not specifically addressed herein has been duly considered and will be denied without further discussion. It is well settled that the Commission is not required to consider expressly or at length each contention or argument raised by the parties. *Consolidated Rail Corp. v. Pa. PUC,* 625 A.2d 741 (Pa. Cmwlth. 1993); *also see, generally, University of Pennsylvania v. Pa. PUC*, 485 A.2d 1217 (Pa. Cmwlth. 1984).

***January 2017 Order***

In our *January 2017 Order*, we adopted the ALJ’s recommendation to approve the Partial Settlements without modification. *January 2017 Order* at 22, 24. Additionally, we addressed the contested issue regarding whether Act 40 required an ADIT offset to be included in any DSIC rate charged to customers. We agreed with ALJ Long that the application of Section 1301.1 of the Code, 66 Pa. C.S. § 1301.1, regarding the inclusion of ADIT in the calculation of the DSIC Riders should be addressed in the *DSIC Proceedings*. We reasoned that Section 1357(c) of the Code authorizes an automatic adjustment clause, which is a rate mechanism that is legally separate from and operates differently from base rates, and that Section 1357(c) allows for the recovery of the cost of plant investments that are completed and placed in service between base rate proceedings. In order to ensure consistency with our previous consideration of ADIT issues, Commission orders and other DSIC issues within the context of the *DSIC Proceedings*, we found it appropriate to consider the ADIT arguments interpreting Act 40 within the active *DSIC Proceedings* at Docket Nos. P-2015-2508942, P-2015-2508936,

 P-2015-2508931, and P-2015-2508948, to which the Companies and the OCA are also Parties. *January 2017 Order* at 38-39.

Furthermore, because the contested issue involves DSIC calculation, we stated that it should be considered in the context of all of the issues directly related to the DSIC. We posited that given the status of the *DSIC Proceedings*, there was adequate time to resolve the contested issue within the *DSIC Proceedings* and that ALJ Cheskis has the authority and discretion under Section 331(d) of the Code, 66 Pa. C.S. § 331(d), to permit further development of the record if it is determined to be necessary to make a decision on the DSIC calculation in light of Act 40. *January 2017 Order* at 39.

Thus, since no Party was opposed to considering the issue in the *DSIC Proceedings*, we referred the OCA’s claim regarding the calculation of ADIT in the Companies’ DSIC Riders to the *DSIC Proceedings* at Docket Nos. P-2015-2508942,

P-2015-2508936, P-2015-2508931, and P-2015-2508948 for such proceedings as may be necessary and the issuance of a Recommended Decision. We also transferred the relevant parts of the record in this case, including the OCA’s Exceptions and the Companies’ Replies to Exceptions that pertain to the contested issue; OCA’s Main and Reply Briefs and the Companies’ Initial and Reply Briefs; OCA St. 1; and the Companies’ St. 2-R. We stated that transferring the relevant parts of the record to the *DSIC Proceedings* is consistent with the Commission’s and the ALJ’s ability to take official notice of the documents constituting the record in this proceeding, pursuant to 52 Pa. Code § 5.406 (relating to public documents), 52 Pa. Code § 5.407 (relating to records of other proceedings), and 52 Pa. Code § 5.408 (relating to official and judicial notice of fact). *January 2017 Order* at 39.

In addition, we noted that because we were referring the contested issue to the *DSIC Proceedings*, we would not address any portions of the OCA’s Exceptions or the Companies’ Replies to Exceptions that pertained to the merits of the contested issue. We further noted that we would not make any determination in this proceeding regarding the merits of the OCA’s claim regarding the calculation of ADIT in the Companies’ DSIC Riders or the Companies’ arguments in opposition to the OCA’s position. *Id.*

Consistent with the above discussion, we granted the OCA’s Exceptions, in part, to the extent that we referred the contested issue to the *DSIC Proceedings* and transferred the record in this proceeding regarding the contested issue to the record of the *DSIC Proceedings*. We also modified the ALJ’s Recommended Decision with respect to the ALJ’s dismissal without prejudice of the OCA’s claim regarding the calculation of ADIT in the Companies’ DSIC Riders. *Id.* at 40.

**OCA’s Petition and the Companies’ No Objection Letter**

 In its Petition, the OCA raises one issue it believes the Commission may have overlooked in the *January 2017 Order*. The OCA therefore, seeks reconsideration or clarification of the *January 2017 Order* as it pertains to the relevant parts of the record in this proceeding that should be transferred to the *DSIC Proceedings*. Petition at 2-3 (citing *January 2017 Order* at 39, 42). The OCA cites to our *January 2017 Order*, which stated that:

[W]e will refer the OCA’s claim regarding the calculation of ADIT in the Companies’ DSIC Riders to the DSIC proceeding at Docket Nos. P-2015-2508942, P-2015-2508936, P-2015-2508931, and P-2015-2508948 for such proceedings as may be necessary and the issuance of a Recommended Decision. We will also transfer the relevant parts of the record in this case, including the OCA’s Exceptions and the Companies’ Replies to Exceptions that pertain to the contested issue; OCA’s Main and Reply Briefs and the Companies’ Initial and Reply Briefs; OCA St. 1; and the Companies’ St. 2-R.

Petition at 3 (citing *January 2017 Order* at 39).

 The OCA states that in the *January 2017 Order*, although the Commission adopted the ALJ’s recommendation that the application of Act 40 regarding the inclusion of ADIT in the Companies’ DSIC calculations should be addressed in the *DSIC Proceedings* and also granted the OCA’s Exception that the relevant portions of the record in the proceeding be transferred to the records in the *DSIC Proceedings*, the Commission failed to itemize the full record that was developed on the ADIT issue in this proceeding. Petition at 3 (citing *January 2017 Order* at 38-40; OCA Exc. at 3).

 In particular, the OCA avers that relevant portions, or pages thirty-three through thirty-six, of its Surrebuttal Testimony (OCA St. 1-SR), is not on the itemized list of our *January 2017 Order*. Thus, the OCA requests that, pursuant to the instant Petition, the Commission should clarify that the relevant portions of OCA St. 1-SR also should be transferred to the records in the *DSIC Proceedings* along with the parts of the record itemized in the *January 2017 Order*. Petition at 3.

Additionally, the Companies stated that they have reviewed the OCA’s Petition and pages thirty-three through thirty-six of OCA St. 1-SR. According to the Companies, “the general terms of the referral (the ‘relevant parts of the record’) are not limited by the itemized list following ‘including’ in Ordering Paragraph No. 4, and, therefore, OCA Statement No. 1-SR is reasonably comprehended by the record transfer.” Companies’ No Objection Letter at 2.

**Disposition**

Based on our review of the OCA’s Petition and the record in this proceeding, we find that the OCA has satisfied the *Duick* standards, and we shall grant the Petition accordingly. In our *January 2017 Order*, we intended to include all relevant parts of the record in this proceeding that addressed the contested ADIT issue. The Companies correctly argue that the itemized list of parts of the record being referred to OALJ was not intended to be exclusive. Nevertheless, we will clarify and reconsider our *January 2017 Order* with regard to this issue and state expressly herein that OCA St. 1-SR is included in the parts of the record in this proceeding that will be transferred to the *DSIC Proceedings*. Thus, we shall amend Ordering Paragraph No. 4 of the *January 2017 Order* by adding the underlined language shown below:

That the relevant parts of the record in this proceeding concerning the Office of Consumer Advocate’s claim with regard to the calculation of Accumulated Deferred Income Tax in the First Energy Companies’ DSIC Riders case, including the Office of Consumer Advocate’s Exceptions and the First Energy Companies’ Replies to Exceptions that pertain to the contested issue, the Office of Consumer Advocate’s Main and Reply Briefs, the First Energy Companies’ Initial and Reply Briefs; OCA St. 1, OCA St. 1-SR, and the First Energy Companies’ St. 2-R are transferred to the First Energy Companies’ consolidated DSIC proceeding.

**Conclusion**

Based on the foregoing discussion, we shall (1) grant the OCA’s Petition; and (2) amend the *January 2017 Order* to expressly include OCA St. 1-SR in the parts of the record in this proceeding that will be transferred to the *DSIC Proceedings*, consistent with the discussion set forth in this Opinion and Order; **THEREFORE,**

**IT IS ORDERED:**

1. That the Petition for Reconsideration and/or Clarification filed by the Office of Consumer Advocate on February 3, 2017, relative to the Opinion and Order entered on January 19, 2017, in the above-captioned proceeding is granted, consistent with the discussion in the body of this Opinion and Order.

2. That Ordering Paragraph No. 4 of the Opinion and Order entered on January 19, 2017, in the above-captioned proceeding is amended to read as follows:

That the relevant parts of the record in this proceeding concerning the Office of Consumer Advocate’s claim with regard to the calculation of Accumulated Deferred Income Tax in the First Energy Companies’ DSIC Riders case, including the Office of Consumer Advocate’s Exceptions and the First Energy Companies’ Replies to Exceptions that pertain to the contested issue, the Office of Consumer Advocate’s Main and Reply Briefs, the First Energy Companies’ Initial and Reply Briefs; OCA St. 1, OCA St. 1-SR, and the First Energy Companies’ St. 2-R are transferred to the First Energy Companies’ consolidated DSIC proceeding.

3. That, in all other respects, the Opinion and Order entered on January 19, 2017, in the above-captioned proceeding shall remain in full force and effect.

4. That this proceeding be marked closed.

**BY THE COMMISSION,**

Rosemary Chiavetta

Secretary

(SEAL)

ORDER ADOPTED: May 18, 2017

ORDER ENTERED: May 18, 2017

1. The OCA complaints are docketed as follows: C-2016-2543247 (Met-Ed); C-2016-2543266 (Penelec); C-2016-2543268 (Penn Power); and C-2016-2543315 (West Penn). [↑](#footnote-ref-2)
2. The OSBA complaints are docketed as follows: C-2016-2544355 (Met-Ed); C-2016-2544356 (Penelec): C-2016-2544358 (Penn Power); and C-2016-2544359 (West Penn). [↑](#footnote-ref-3)
3. AK Steel only intervened in West Penn’s rate case. [↑](#footnote-ref-4)
4. EDF only intervened in Met-Ed’s rate case. [↑](#footnote-ref-5)
5. IBEW only intervened in Penelec’s rate case. [↑](#footnote-ref-6)
6. NAH only intervened in Penelec’s rate case. [↑](#footnote-ref-7)
7. Athens, C-2016-2552366; Sayre, C-2016-2553194; South Waverly, C‑2016-2552369. These Boroughs are all in Penelec’s service territory in Bradford County. [↑](#footnote-ref-8)
8. Nicholson Borough is in Penelec’s service territory in Wyoming County. [↑](#footnote-ref-9)
9. Worthington Borough is located in West Penn’s service territory in Armstrong County. [↑](#footnote-ref-10)
10. The Companies’ DSIC Rider Petitions were filed on February 16, 2016. [↑](#footnote-ref-11)
11. *Petition of Metropolitan Edison Company for Approval of a Distribution System Improvement Charge,* Docket No. P-2015-2508942 (Order entered June 9, 2016) *(Met-Ed DSIC Order)*; *Petition of Pennsylvania Electric Company for Approval of a Distribution System Improvement Charge,* Docket No. P-2015-2508936 (Order entered June 9, 2016) *(Penelec DSIC Order)*; *Petition of Pennsylvania Power Company for Approval of a Distribution System Improvement Charge,* Docket No. P-2015-2508931 (Order entered June 9, 2016) *(Penn Power DSIC Order)*; *Petition of West Penn Power Company for Approval of a Distribution System Improvement Charge,* Docket No. P-2015-2508948 (Order entered June 9, 2016) *(West Penn DSIC Order)* (collectively, *Companies’ DSIC Orders* or *DSIC Proceedings*). [↑](#footnote-ref-12)
12. A list of the Companies’ written testimony and associated exhibits and schedules, as well as errata which corrected typographical errors in the written testimony, are set forth in Hearing Exhibits 1 and 2, which were admitted into the record. [↑](#footnote-ref-13)
13. For a thorough discussion of the terms and conditions of the Partial Settlements, *see* *January 2017 Order* at 8-18. [↑](#footnote-ref-14)
14. For a detailed discussion of the Parties’ positions on the contested issue, *see* *January 2017 Order* at 26-34. [↑](#footnote-ref-15)