



COMMONWEALTH OF PENNSYLVANIA

September 12, 2019

E-FILED

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

**Re: Pennsylvania Public Utility Commission v. Wellsboro Electric Company /
Docket No. R-2019-3008208**

Dear Secretary Chiavetta:

Enclosed for filing please find the Prehearing Memorandum, on behalf of the Office of Small Business Advocate (“OSBA”), in the above-captioned proceeding. I respectfully request that a copy of any documents filed in this case also be shared with our witness at the address below:

Brian Kalcic
Excel Consulting
225 S. Meramec Avenue, Suite 720 T
St. Louis, MO 63105
excel.consulting@sbcglobal.net

Copies will be served on all known parties in this proceeding, as indicated on the attached Certificate of Service.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Sharon E. Webb'.

Sharon E. Webb
Assistant Small Business Advocate
Attorney ID No. 73995

Enclosures

cc: Brian Kalcic
Parties of Record

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PENNSYLVANIA PUBLIC UTILITY COMMISSION	:	
	:	
v.	:	DOCKET NO. R-2019-3008208
	:	
WELLSBORO ELECTRIC COMPANY	:	

**OFFICE OF SMALL BUSINESS ADVOCATE
PREHEARING MEMORANDUM**

I. INTRODUCTION

The Office of Small Business Advocate (“OSBA”) is authorized to represent the interests of small business consumers of utility services before the Pennsylvania Public Utility Commission (the “Commission”) pursuant to the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§399.41 – 399.50 (“the Act”). In order to discharge this statutory duty, the Small Business Advocate deems it necessary to participate as a party to these proceedings. Please address all correspondence as follows:

Sharon E. Webb
Assistant Small Business Advocate
Office of Small Business Advocate
300 North Second Street, Suite 202
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)
swebb@pa.gov

II. BACKGROUND

On July 1, 2019, Wellsboro Electric Company (“Wellsboro” or the “Company”), filed Supplement No. 125 to Tariff Electric-PA P.U.C. No. 8. The proposed Supplement No. 125, if approved, would have resulted in an increase in the annual distribution revenues of Wellsboro by \$1,419,610 per year, a 27.7% increase.

In addition to its July 1, 2019 Tariff filing, Wellsboro filed a Petition for Waiver of Filing Requirements Under 52 Pa. Code Section 53.53, seeking relief for filing required documentation, since Wellsboro’s claim exceeded the \$1 million threshold rate increase as set forth in Section 53.53.¹ On July 22, 2019, the Office of Consumer Advocate (“OCA”), the Bureau of Investigation and Enforcement (“I&E”), and the Office of Small Business Advocate filed a joint motion to reject Wellsboro’s July 1, 2019 base rate filing for failing to comply with the requirements Section 53.53. Subsequent to the joint motion, on July 31, 2019, Wellsboro filed replacement schedules and tariff pages to revise its rate increase request.

The OSBA filed a Notice of Appearance on July 22, 2019. Subsequently the OSBA filed a Complaint and Public Statement on August 29, 2019.

¹ 52 Pa. Code §53.53

III. WITNESS

Assisting in the development and presentation of OSBA's position in this rate case will be:

Mr. Brian Kalcic
Excel Consulting
Suite 720
225 S. Meramec Ave.
St. Louis, MO 63105
(314) 725-2511
excel.consulting@sbcglobal.net

The OSBA requests that all parties serve copies of all documents, including discovery, testimony and briefs, upon Mr. Kalcic, simultaneously with service upon the OSBA. The OSBA anticipates that it will present testimony by Mr. Kalcic.

IV. IDENTIFICATION OF ISSUES

The OSBA is participating in these three cases to ensure that the interests of small business customers of Wellsboro are adequately represented and protected. As appropriate and necessary, the OSBA will investigate and analyze the claims and proposals of the parties, primarily through discovery, cross-examination of witnesses appearing for those parties, submission of testimony and briefing of the issues that arise in this proceeding. The OSBA will particularly focus on issues where the impact upon the interests of Wellsboro's small business customers would be unjustifiably different from or disproportionate to the impact on other classes of customers, or otherwise lacking in reasonableness or basic fairness. Based on a preliminary review of Wellsboro's filing, the OSBA has identified the following issues:

1. Whether the Company's class cost-of-service study methodology is appropriate;
2. Whether the Company's proposed class revenue allocation is cost based; and
3. Whether Wellsboro's proposed rate design for small business customers is reasonable and appropriate.

The OSBA reserves the right to pursue additional issues as they may arise throughout the course of the proceedings.

V. DISCOVERY

The OSBA has already served interrogatories.

VI. SERVICE OF DOCUMENTS

The OSBA agrees to accept electronic delivery of documents on the due date as satisfying the in-hand requirement, if followed by hard copy delivery to the OSBA and its witness by first class mail. Electronic service only is not acceptable.

VII. SETTLEMENT

The OSBA is willing to enter into settlement discussions at any phase of these proceedings.

VIII. PROCEDURAL SCHEDULE

The OSBA will cooperate with the other parties to develop a mutually acceptable schedule for the remainder of these cases. It should be noted however, that OSBA's witness is not available for hearings the week of December 9-13, 2019.

Respectfully submitted,



Sharon E. Webb
Assistant Small Business Advocate
Attorney ID No. 73995

For: John R. Evans
Small Business Advocate

Office of Small Business Advocate
300 North Second Street – Suite 202
Harrisburg, PA 17101
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(717) 783-2831 (fax)

Dated: September 12, 2019

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission :
 :
 v. : **Docket No. R-2019-3008208**
 :
 Wellsboro Electric Company :

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing have been served via email and/or First-Class mail (*unless otherwise noted below*) upon the following persons, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).


The Honorable Steven K. Haas
The Honorable Benjamin J. Myers
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(Email and Hand Delivery)

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(Counsel for Wellsboro)

DATE: September 12, 2019



Sharon E. Webb
Assistant Small Business Advocate
Attorney ID No. 73995