



COMMONWEALTH OF PENNSYLVANIA

June 14, 2023

E-FILED

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

Re: Petition of Pike County Light & Power Company for Approval of a Default Service Plan and Waiver of Commission Regulations / Docket No. P-2023-3039927

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.

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,

/s/ Nakea S. Hurdle

Nakea S. Hurdle
Assistant Small Business Advocate
Attorney ID No. 203633

Enclosures

cc: Mark Ewen
Parties of Record

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Pike County Light & Power for :
Approval of Its Default Service Plan and : **Docket No. P-2023-3039927**
Waiver of Commission Regulations :

**PREHEARING MEMORANDUM
OF THE OFFICE OF SMALL BUSINESS ADVOCATE**

I. INTRODUCTION

The Office of Small Business Advocate (“OSBA”) is authorized to represent the interests of small business customers of utility services before the Pennsylvania Public Utility Commission (“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. Representing the OSBA in the above-referenced matter is Assistant Small Business Advocate Nakea S. Hurdle. Please address all correspondence in this matter as follows:

Nakea S. Hurdle, Esq.
Assistant Small Business Advocate
Office of Small Business Advocate
Forum Place
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)
nhurdle@pa.gov

II. FILING BACKGROUND

On April 13, 2023, pursuant to 66 Pa. C.S. § 2807(e) and 52 Pa. Code 54.181-54.190, Pike County Light & Power Company, Electric Division (“Pike” or the “Company”) filed a

petition requesting that the Pennsylvania Public Utility Commission (“Commission”) approve its proposed default service plan (DSP) for June 1, 2024, through May 31, 2027, and certain waivers related to default service.

The Office of Small Business Advocate (“OSBA”) filed a Notice of Intervention on May 3, 2023.

III. IDENTIFICATION OF WITNESS AND TENTATIVE ISSUES

Assisting in the development and presentation of the OSBA’s case in this proceeding will be:

Mark Ewen
Industrial Economics, Incorporated
2067 Massachusetts Ave
Cambridge, MA 02140
(617) 354-0074
mewen@indecon.com

The OSBA will participate in this proceeding to assure that the interests of small business customers are adequately represented and protected.

After an initial review of the Petition filed by Pike, the OSBA has identified the following list of issues that it will evaluate in this proceeding:

1. Whether the company’s default service plan (DSP) is consistent with sound economics and regulatory policy, and fairly treats small business customers.
2. Whether the company’s approach to procuring alternative energy certificates (AECs) is reasonable.
3. Whether the company’s financial hedging program is structured properly and serving to reduce price volatility at reasonable cost.
4. Whether default service rates are appropriately calculated and accurately

reconciled.

5. Whether the company's request for certain waivers of regulatory requirements are reasonable.

The OSBA reserves the right to pursue additional issues that may arise throughout this proceeding.

IV. SERVICE OF DOCUMENTS

In accordance with 52 Pa. Code § 1.54(b)(3)(i), the OSBA agrees to accept electronic mail delivery of documents on the due date as satisfying the in-hand requirement. At the time of this writing, hard copy delivery of documents to the OSBA is not possible. The OSBA requests that email delivery of documents also be provided to its witnesses identified above.

In addition to email copies of pleadings, briefs, and exceptions, the OSBA requests email copies of responses to discovery propounded by the OSBA or any other party.

V. DISCOVERY

The OSBA does not propose any discovery modifications.

VI. SETTLEMENT

The OSBA notes its willingness to enter settlement discussions at the appropriate phase of this proceeding.

VII. HEARING AND BRIEFING SCHEDULE

At the time of this writing, the parties are discussing a procedural schedule.

Considering the lingering effects of the COVID-19 Pandemic, the OSBA respectfully requests that the evidentiary hearings take place telephonically.

Respectfully submitted,

/s/ Nakea S. Hurdle

Nakea S. Hurdle
Assistant Small Business Advocate
Attorney ID No. 203633

Office of Small Business Advocate
Forum Place
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)

Dated: June 14, 2023

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Pike County Light & Power for :
Approval of Its Default Service Plan and : **Docket No. P-2023-3039927**
Waiver of Commission Regulations :

I hereby certify that true and correct copies of the foregoing have been served via email (*unless other 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 Mark A. Hoyer
Administrative Law Judge
Pennsylvania Public Utility Commission
301 5th Avenue, Suite 220
Pittsburgh, PA 15222
mhoyer@pa.gov
nmiskanic@pa.gov

Gina L. Miller, Esquire
Aron J. Beatty, Esquire
Office of Consumer Advocate
555 Walnut Street, 5th Floor
Harrisburg, PA 17101
gmiller@paoca.org
abeatty@paoca.org

Richard Kanaskie, Esquire
Director
Bureau of Investigation & Enforcement
400 North Street
Commonwealth Keystone Building
Harrisburg, PA 17120
rkanaskie@pa.gov

Whitney E. Snyder, Esquire
Thomas J. Sniscak, Esquire
Phillip D. Demanchick Jr., Esquire
Hawke McKeon & Sniscak LLP
100 North Tenth Street
Harrisburg, PA 17101
wesnyder@hmslegal.com
tjsniscak@hmslegal.com
pddemanchick@hmslegal.com

DATE: June 14, 2023

/s/ Nakea S. Hurdle

Nakea S. Hurdle
Assistant Small Business Advocate
Attorney ID No. 203633