

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

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IRWINA. POPOWSKY
Consumer Advocate

FAX (717) 783-7152
consumer@paoca.org

March 30, 2009

James J. McNulty
Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

RE: Petition of PPL Electric Utilities Corporation for
Approval of a Rate Mitigation Plan
Docket No. P-2009-2091280

Dear Secretary McNulty:

Enclosed for filing is the Prehearing Memorandum of the Office of Consumer Advocate,
in the above-referenced proceeding.

Copies have been served as indicated on the enclosed Certificate of Service.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "James A. Mullins".

James A. Mullins
Assistant Consumer Advocate
PA Attorney I.D. # 77066

Enclosures

cc: Honorable David A. Salapa

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of PPL Electric Utilities	:	
Corporation for Approval of a	:	Docket No. P-2009-2091280
Rate Mitigation Plan	:	

PREHEARING MEMORANDUM
OF THE
OFFICE OF CONSUMER ADVOCATE

Pursuant to Section 333 of the Public Utility Code, 66 Pa.C.S. § 333, and in response to the March 17, 2009 Prehearing Conference Order issued in the above-captioned matter, the Office of Consumer Advocate (OCA) provides the following information:

I. INTRODUCTION

On February 19, 2009, PPL Electric Utilities Corporation (PPL Electric or the Company) filed a Petition with the Pennsylvania Public Utility Commission (Commission or PUC) requesting approval of a Rate Mitigation Plan (RMP or Plan). The RMP would be available to most of the Company's residential and small commercial and industrial customers. The RMP is designed to ease the transition from current capped generation rates to market-based rates and will enable eligible customers to voluntarily elect to defer a portion of PPL's January 1, 2010 forecasted rate increase. Deferred amounts, plus carrying charges, would be fully recovered by the end of 2012 and all eligible customers must enroll in the RMP by December 15,

2009. PPL asserts that the Petition does not warrant full hearings; therefore, the Company has requested that the Commission approve the RMP by April 17, 2009.

The Petition was assigned to the Office of Administrative Law Judge and was further assigned to Administrative Law Judge David A. Salapa for investigation and the scheduling of hearings. On March 17, 2009, ALJ Salapa issued a Prehearing Conference Order indicating that an Initial Prehearing Conference was scheduled for April 2, 2009. This Order also detailed the parties' obligations with respect to the Prehearing Conference.

The OCA filed an Answer to the Company's Petition and a Notice of Intervention and Public Statement on March 11, 2009. The OCA submits this Prehearing Memorandum in anticipation of the scheduled April 2, 2009 conference.

II. ISSUES AND SUB-ISSUES

The Office of Consumer Advocate (OCA) generally supports the Company's Petition. However, certain issues should be addressed prior to any Commission approval. Specifically, the ability of customers to withdraw from the program should be clarified as well as the circumstances under which customers will be voluntarily removed from the program. Further, the operation of the RMP in the event of a customer's change in service, i.e., death, relocation, etc., needs to be detailed further. Another issue to be clarified regards notice to the public. PPL identifies four primary topics for customer notice and education, but prior to Commission approval, the specific methods and approaches that PPL intends to employ for customer notice and education should be made clear. Further, it should be clarified whether ratepayers will be responsible for any of the associated costs.

III. WITNESSES

The OCA does not intend call any witnesses at this time. However, the OCA specifically reserves the right to call a witness (or witnesses), as necessary. As soon as the OCA has determined whether a witness or witnesses will be necessary for any portion of its case, the OCA will notify Administrative Law Judge Salapa and all parties of record. In order to expedite the resolution of this proceeding, the OCA requests that copies of all interrogatories, testimony, and answers to interrogatories be mailed directly to counsel for the OCA.

IV. DISCOVERY

The OCA has not yet undertaken any discovery in this proceeding, but may do so if deemed necessary.

V. PROPOSED SCHEDULE

The OCA will work with the parties to develop a mutually acceptable schedule for this proceeding.

VI. SERVICE ON OCA

The OCA will be represented in this case by James A. Mullins. Two copies of all documents should be served on the OCA as follows:

James A. Mullins
Assistant Consumer Advocate
Office of Consumer Advocate
555 Walnut St., 5th Floor, Forum Place
Harrisburg, PA 17101-1923
Telephone: (717) 783-5048
Fax: (717) 783-7152
Email: jmullins@paoca.org

As a courtesy, the OCA requests that all electronic correspondence be copied to James A. Mullins (jmullins@paoca.org) and Jessica J. Horner (jhorner@paoca.org)

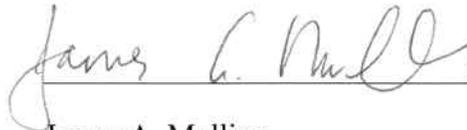
VII. SETTLEMENT

The OCA is willing to participate in settlement discussions.

VIII. PUBLIC INPUT HEARINGS

At present, the OCA has not received a request for a public input hearing. The OCA will make prompt notification and request a public input hearing should circumstances warrant.

Respectfully Submitted,



James A. Mullins
PA Attorney I.D. # 77066
E-Mail: JMullins@paoca.org
Assistant Consumer Advocate

Counsel for:
Irwin A. Popowsky
Consumer Advocate

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Dated: March 30, 2009
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CERTIFICATE OF SERVICE

Petition of PPL Electric Utilities :
Corporation for Approval of a : Docket No. P-2009-2091280
Rate Mitigation Plan :

I hereby certify that I have this day served a true copy of the foregoing document, Prehearing Memorandum of the Office of Consumer Advocate, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 30th day of March 2009.

SERVICE BY E-MAIL and INTEROFFICE MAIL

Kenneth L. Mickens, Esquire
Office of Trial Staff
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

SERVICE BY E-MAIL and FIRST CLASS MAIL

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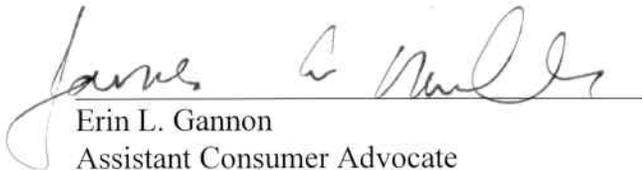
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