

333 OAK LANE
BLOOMSBURG, PA 17815
SCOTT.J.RUBIN@GMAIL.COM

SCOTT J. RUBIN
ATTORNEY • CONSULTANT

TEL: (570) 387-1893
FAX: (570) 387-1894
CELL: (570) 850-9317

June 14, 2010

Rosemary Chiavetta, Secretary
Pa. Public Utility Commission
P.O. Box 3265
Harrisburg PA 17105-3265

Re: Joint Application of West Penn Power Company
d/b/a Allegheny Power, Trans-Allegheny Interstate
Line Company and FirstEnergy Corp. for a
Certificate of Public Convenience under Section
1102(a)(3) of the Public Utility Code approving a
change in control of West Penn Power Company
and Trans-Allegheny Interstate Line Company
Docket No. A-2010-2176520
Docket No. A-2010-2176732

Dear Secretary Chiavetta:

Enclosed for filing please find the Prehearing Memorandum of International Brotherhood of Electrical Workers in the above-referenced proceeding.

The document was filed electronically with the Commission on this date.

Sincerely,



Enclosure

cc: per Certificate of Service
Wayne Weismandel, Administrative Law Judge
Mary D. Long, Administrative Law Judge

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Joint Application of West Penn Power	:	
Company d/b/a Allegheny Power, Trans-	:	
Allegheny Interstate Line Company and	:	
FirstEnergy Corp. for a Certificate of Public	:	Docket No. A-2010-2176520
Convenience under Section 1102(a)(3) of the	:	Docket No. A-2010-2176732
Public Utility Code approving a change in	:	
control of West Penn Power Company and	:	
Trans-Allegheny Interstate Line Company	:	

PREHEARING MEMORANDUM
OF INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS

In accordance with the Administrative Law Judges' Prehearing Conference Order and 52 Pa. Code § 5.222(d)(1), International Brotherhood of Electrical Workers ("IBEW") hereby files this Prehearing Memorandum and provides the following information to the Administrative Law Judges and the active parties to this proceeding.

Procedural History: IBEW filed a Petition to Intervene on June 2, 2010. IBEW, by and through its various local unions, is the authorized bargaining unit for approximately 3,900 employees of FirstEnergy Corp. ("FirstEnergy") and various subsidiaries thereof. More than 2,000 of those IBEW members work for FirstEnergy in Pennsylvania. No party has objected to IBEW's intervention.

Issues: IBEW has been reviewing the application and testimony submitted by the Joint Applicants. At this stage, IBEW has not identified any specific issues on which it would file direct testimony, but IBEW intends to initiate discovery in the very near future. IBEW will focus its attention on issues that could have a direct and substantial impact on

its members. This will include, but not be limited to, employee-related issues associated with the proposed merger (such as employment levels, pension and benefit funding, and the source and reasonableness of alleged synergy savings), as well as issues related to the safety and reliability of service particularly in light of substantial cost reductions that the Joint Applicants allegedly would try to achieve from the proposed merger. IBEW has not determined the extent to which it will need to participate in order to represent the interests of its members, but it will pursue these issues, as necessary, through cross-examination, direct or rebuttal testimony, and the filing of briefs and other pleadings, as required to protect its interests.

Witnesses: IBEW has not identified the need for, or identity of, any witnesses at this time. If it is determined that witnesses are necessary, IBEW will notify the Administrative Law Judges and parties as soon as the witnesses are identified.

Service List: IBEW requests that its entry on the service list should be for its counsel, as follows:

Scott J. Rubin
333 Oak Lane
Bloomsburg, PA 17815-2036
Voice: (570) 387-1893
Fax: (570) 387-1894
Email: scott.j.rubin@gmail.com

Pursuant to 52 Pa. Code § 1.54(b)(3), IBEW consents to the electronic service of all documents at the e-mail address shown above.

Schedule: Counsel for IBEW has been working with counsel for other active parties to develop a schedule for this proceeding. It is hoped that a consensus schedule will be provided to the Administrative Law Judges at or before the prehearing conference.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Scott J. Rubin". The signature is fluid and cursive, written over the printed name.

Scott J. Rubin (PA Sup. Ct. ID 34536)

333 Oak Lane

Bloomsburg, PA 17815-2036

Voice: (570) 387-1893

Fax: (570) 387-1894

Email: scott.j.rubin@gmail.com

Counsel for IBEW

Dated: June 14, 2010

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing upon the following parties to this proceeding by electronic mail, or first class mail (where an e-mail address is not listed).

Randall Palmer / Jennifer Petrisek
Allegheny Energy Inc.
800 Cabin Hill Drive
Greensburg, PA 15601
rpalmer@alleghenyenergy.com

Thomas Gadsden / Kenneth Kulak
Morgan Lewis & Bockius
1701 Market St.
Philadelphia, PA 19103-2921
tgadsden@morganlewis.com

Allison C. Kaster / Carrie B. Wright
Office of Trial Staff
Pa. Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265
akaster@state.pa.us
carwright@state.pa.us

Michael Gang / Anthony Kanagy
Post & Schell PC
17 N. Second St., 12th Floor
Harrisburg, PA 17101-1601
mgang@postschell.com
akanagy@postschell.com

Wendy Stark / Bradley Bingaman
FirstEnergy Service Co.
PO Box 16001
Reading, PA 19612-6001
starkw@firstenergycorp.com

Darryl Lawrence
Office of Consumer Advocate
555 Walnut St., 5th Floor
Harrisburg, PA 17101-1923
dlawrence@paoca.org

David Dulick
Pa. Rural Electric Assoc.
P.O. Box 1266
Harrisburg, PA 17108-1266
david_dulick@prea.com


Gary Jack / Kelly Geer
Duquesne Light Co.
411 Seventh Ave., 16-4
Pittsburgh, PA 15219
gjack@duqlight.com
kgeer@duqlight.com

W. Edwin Ogden / Alan Seltzer
Ryan Russell Ogden & Seltzer PC
1150 Berkshire Blvd., Suite 210
Wyomissing, PA 19610-1208
aseltzer@ryanrussell.com

Daniel Asmus
Office of Small Business Advocate
300 North Second St., Suite 1102
Harrisburg, PA 17101
dasmus@state.pa.us

Charles Thomas, Jr.
Thomas Niesen / Jennifer Sultzaberger
Thomas Long Niesen & Kennard
P.O. Box 9500
Harrisburg, PA 17108-9500
cthomasjr@thomaslonglaw.com
tniesen@thomaslonglaw.com
jms@thomaslonglaw.com

Benjamin Willey
7272 Wisconsin Ave., Suite 300
Bethesda, MD 20814
blw@bwilleylaw.com
d.vollero@ycswa.com
rstrickler@gslsc.com


Scott J. Rubin
Counsel for IBEW

Dated: June 14, 2010