

**COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Petition of PPL Electric Utilities
Corporation for approval of a
Default Service Program and
Procurement Plan for the Period
June 1, 2013 through May 31, 2015**

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: **Docket No. P-2012-2302074**
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**PREHEARING MEMORANDUM OF
CONSTELLATION NEWENERGY, INC. AND
EXELON GENERATION COMPANY, LLC**

Before the Pennsylvania Public Utility Commission (the “Commission”), pursuant to 52 Pa. Code §§ 5.222, Intervenors Constellation NewEnergy, Inc. (“CNE”) and Exelon Generation Company, LLC (“ExGen”) (collectively, “Constellation”), by their undersigned counsel, hereby respectfully submits this Prehearing Memorandum:

I. INTRODUCTION

On May 1, 2012, PPL Electric Utilities Corporation (“PPL Electric”) filed the Petition of PPL Electric Utilities Corporation for Approval of a Default Service Implementation Plan for the Period June 1, 2013 through May 31, 2015 (“Plan”) pursuant to Section 2807(e) of the Public Utility Code.

II. IDENTIFICATION OF ISSUES

Constellation is at this time still formulating its position on the issues presented by the Plan. Based on a preliminary review of the Plan, Constellation expects that potential issues in this proceeding will include but not be limited to: (i) the manner in which PPL Electric is proposing to conduct default service procurements for various customer classes under the Plan;

(ii) the manner in which the Plan hinders or supports the development of retail competition in the PPL Electric service territory, while preserving benefits from well-developed default service offerings for customers; (iii) whether the Plan is consistent with Act 129 and other applicable rules; (iv) whether the Plan meets requirements of the Commission's *Final Order in re: the Investigation of Pennsylvania's Retail Electricity Market: Intermediate Work Plan*, Commission Docket No. I-2011-2237952 (entered Mar. 2, 2012) and the Commission's other recent orders regarding the retail markets; and (v) billing and other operational and data issues and their impact on electric generation suppliers. Constellation reserves the right to address other issues as it deems appropriate.

III. WITNESSES

Constellation reserves the right to present in this proceeding direct, rebuttal, and surrebuttal fact and expert testimony, to the extent it deems necessary. Constellation expects to present expert testimony by either one of the following individuals:

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Once discovery has begun and the positions of all parties to this proceeding have been made known, Constellation will notify the Administrative Law Judge and all parties of the identities of any additional witnesses it intends to call.

IV. SERVICE ON CONSTELLATION

Constellation consents to accept electronic delivery documents on the deadlines for their filing, if followed by hard copy delivery by first class mail to its counsel of record.

Constellation respectfully requests that service be made to the following individuals:

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V. CONCLUSION

WHEREFORE, for all the foregoing reasons, Constellation NewEnergy, Inc. and Exelon Generation Company, LLC respectfully request that their Prehearing Memorandum be entered in to the record of this proceeding.

Respectfully submitted,



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Dated: June 4, 2012