



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF SMALL BUSINESS ADVOCATE

July 30, 2012

E-filed and Hand Delivery

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

**Re: Pennsylvania Public Utility Commission v. PPL Electric Utilities Corporation
Docket No. M-2011-2274191**

**Office of Small Business Advocate v. PPL Electric Utilities Corporation
Docket No. C-2011-2279176**

Dear Secretary Chiavetta:

I am delivering for filing today the original of the Petition for Leave to Withdraw Complaint, on behalf of the Office of Small Business Advocate, in the above-captioned proceedings.

Two copies have been served today on all known parties in these proceedings. A Certificate of Service to that effect is enclosed.

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

Sincerely,

A handwritten signature in cursive script that reads "Elizabeth Rose Triscari".

Elizabeth Rose Triscari
Assistant Small Business Advocate
Attorney ID No. 306921

Enclosures

cc: Parties of Record
Robert D. Knecht

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

OFFICE OF SMALL BUSINESS :
ADVOCATE :
v. : **DOCKET NO. C-2011-2279176**
PPL ELECTRIC UTILITIES :
CORPORATION :

PPL ELECTRIC UTILITIES :
CORPORATION CALCULATION OF : **DOCKET NO. M-2011-2274191**
GENERATION SUPPLY CHARGE-1 :

**PETITION OF THE
OFFICE OF SMALL BUSINESS ADVOCATE
FOR LEAVE TO WITHDRAW COMPLAINT**

Pursuant to Section 5.94(a) of the regulations of the Pennsylvania Public Utility Commission (“Commission”), 52 Pa. Code §5.94(a), the Office of Small Business Advocate (“OSBA”) hereby petitions for leave to withdraw its complaint against PPL Electric Utilities Corporation (“PPL Electric” or the “Company”) at the above-captioned docket.

On November 18, 2011, PPL Electric filed the Calculation of Generation Supply Charge-1 for the period December 1, 2011, through February 29, 2012 (the “Application Period”) which was assigned to Docket No. M-2011-2258733 (“December GSC-1 Filing”).

The OSBA filed a Complaint against the rates, terms and other provisions contained in the December GSC-1 Filing on November 29, 2011, which was docketed at C-2011-222279176.

At the time of filing the complaint commencing this matter, the OSBA had previously filed complaints against the Company's two immediate prior GSC-1 filings. The first complaint was against the Calculation of Generation Supply Charge-1 for the period June 1, 2011 through August 31, 2011 at Docket No. M-2011-2243137 ("June GSC-1 Filing"), which was docketed at C-2011-2245906. The second complaint was against the Calculation of Generation Supply Charge-1 for the period September 1, 2011 through November 30, 2011 at Docket No. M-2011-2258733 ("September GSC-1 Filing"), which was docketed at C-2011-2260010.

Both of these previously filed complaints were assigned to Administrative Law Judge ("ALJ") Susan D. Colwell. Each complaint raised issues about the reconciliation accounting method used by PPL Electric and the resultant reconciliation charges/credits to ratepayers through the GSC-1. At the request of the parties to the proceeding, ALJ Colwell agreed to hold in abeyance the OSBA's complaint against the September GSC-1 Filing pending the outcome of the OSBA's complaint against the June GSC-1 Filing because both proceedings involve similar issues.

The instant proceeding was assigned to ALJ Dennis J. Buckley and an initial hearing was scheduled for March 5, 2012. Given the similarity of the issues raised by the OSBA's complaint in this proceeding and issues in another pending proceeding, by letter dated February 9, 2012, the OSBA requested that ALJ Buckley hold in abeyance the OSBA's complaint against the December GSC-1 Filing pending the outcome of the OSBA's complaint against the June GSC-1 Filing. PPL Electric joined in that request. On February 16, 2012, ALJ Buckley issued an order cancelling the initial hearing and

holding this matter in abeyance pending the outcome of the proceeding at Docket No. C-2011-2245906.

The OSBA's first complaint at Docket No. C-2011-2245906 has now been fully litigated. The parties participated in an evidentiary hearing and submitted briefs. ALJ Colwell issued a Recommended Decision on April 2, 2012. PPL Electric submitted Exceptions and the OSBA submitted Reply Exceptions. The Commission issued an Opinion and Order on July 19, 2012. In that Order, the Commission largely rejected the ALJ's Recommended Decision and granted the Exceptions filed by PPL Electric. The Commission did, however, indicate that it intended to institute a generic proceeding dealing with the reconciliation issues raised by the OSBA in the litigated proceeding on a prospective statewide basis, Order at 26.

On July 26, 2012, the OSBA filed a Petition to Withdraw the complaint against the September GSC-1 Filing at Docket No. C-201160010.

The OSBA submits that the specific reconciliation issues raised by the OSBA in the above-captioned complaint have been addressed by the Commission's Order at Docket No. C-2011-2245906 and will be more generally addressed in a statewide generic proceeding.

Further, counsel for PPL Electric has indicated that the Company has no objection to the withdrawal of the OSBA's complaint.

WHEREFORE, the Office of Small Business Advocate respectfully requests the Commission grant it leave to withdraw the Complaint at Docket No. C-2011-2279176 pursuant to 52 Pa. Code § 5.94(a).

Respectfully submitted,



Elizabeth Rose Triscari
Assistant Small Business Advocate
Attorney ID No. 306921

For:

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Dated: July 30, 2012

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**PPL Electric Utilities Corporation Final :
Calculation of the Generation Supply :
Charge-1 for the Application Period : Docket No. M-2011-2274191
December 1, 2011 through February 29, :
2012 :**

CERTIFICATE OF SERVICE

I certify that I am serving two copies of the Petition for Leave to Withdraw Complaint, on behalf of the Office of Small Business Advocate, by e-filing, e-mail and/or first-class mail (unless otherwise noted) upon the persons addressed below:


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Date: July 30, 2012