

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

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IRWINA. POPOWSKY  
Consumer Advocate

September 7, 2012

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17101

Re: Petition of PPL Electric Utilities  
Corporation for an Evidentiary Hearing on  
the Energy Efficiency Benchmarks  
Established for the Period June 1, 2013  
through May 31, 2016  
Docket No. P-2012-2320369

Dear Secretary Chiavetta:

Enclosed please find the Office of Consumer Advocate's Prehearing Memorandum in the above-captioned proceeding.

Copies have been served upon all parties of record as shown on the attached Certificate of Service.

Sincerely,

A handwritten signature in cursive script that reads "James A. Mullins".

James A. Mullins  
Assistant Consumer Advocate  
PA. Attorney ID# 77066

Enclosures

cc: Hon. Elizabeth H. Barnes, ALJ  
Certificate of Service

160194

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of PPL Electric Utilities Corporation :  
For an Evidentiary Hearing on the Energy : Docket No. P-2012-2320369  
Efficiency Benchmarks Established for the :  
Period June 1, 2013 through May 31, 2016 :

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PREHEARING MEMORANDUM  
OF THE  
OFFICE OF CONSUMER ADVOCATE

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Pursuant to Section 333 of the Public Utility Code, the Office of Consumer Advocate (OCA) provides the following information:

I. INTRODUCTION

On August 20, 2012, PPL Electric Utilities Corporation (PPL or Company) filed a Petition for an Evidentiary Hearing in response to the Commission's August 3, 2012 Implementation Order at Docket No. M-2012-2284911. Pursuant to Act 129 of 2008 (Act 129), 66 Pa.C.S. Section 2801 *et seq.*, the August 3<sup>rd</sup> Implementation Order (Order) established the requirements for Phase II of the Act 129 Energy Efficiency plans, including the establishment of new consumption reduction targets for the period June 1, 2013 through May 31, 2016. The Order stated that an electric distribution company (EDC) could submit a Petition for Evidentiary Hearing no later than August 20, 2012 for the limited purpose of challenging these consumption reduction requirements. If no Petition was filed, the consumption reduction requirements would be deemed accepted. Order at 31.

II. HISTORY OF THE PROCEEDING

On August 30, 2012, the Office of Consumer Advocate (OCA) filed an

Intervention and Public Statement. On August 30, 2012, Shaun A. Sparks and Krystle J. Sacavage filed a Notice of Appearance on behalf of the Statewide Evaluator (SWE). Also on August 30, 2012, Petitions to Intervene were filed by Comverge, Inc., PPL Industrial Customer Alliance, Clean Air Council and the Pennsylvania Chapter of the Sierra Club and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA).

The case was assigned to the Office of Administrative Law Judge and further assigned to ALJ Elizabeth H. Barnes. On August 30, 2012, ALJ Barnes issued a Prehearing Conference Order and the Prehearing Conference was set in this matter for September 10, 2012 at 1:00PM. The OCA files this prehearing memo in accordance with ALJ Barnes' Prehearing Conference Order.

### III. ISSUES AND SUB-ISSUES

Pursuant to the Commission's August 3<sup>rd</sup> Order, the scope of this proceeding will be limited to consumption reduction requirements. The OCA will examine this issue. The Consumer Advocate seeks to protect the interests of PPL's customers and to ensure that the consumption reduction requirements are accordance with Act 129.

### IV. SETTLEMENT

The OCA is willing to engage in settlement discussions with respect to some or all of the issues.

### V. WITNESSES

The OCA may present the direct, rebuttal and surrebuttal testimony of Mr. Geoffrey Crandall in this proceeding. If necessary, Mr. Crandall will present testimony in written form and also will attach various exhibits and explanatory documents which will assist in the presentation of the OCA's case. 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 Mr. Crandall at the following address, as well as mailing copies to counsel for the OCA.

Geoffrey Crandall  
MSB Energy Associates, Inc.  
Suite 204  
1800 Parmenter Street  
Middleton, WI 53562-1127  
E-mail: [Crandall@msbnrg.com](mailto:Crandall@msbnrg.com)

The OCA specifically reserves the right to call additional witnesses, as necessary. As soon as the OCA has determined whether an additional witness or witnesses will be necessary for any portion of its case, all parties of record will be notified.

#### VI. SERVICE ON THE OFFICE OF CONSUMER ADVOCATE

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 Street  
Forum Place, 5<sup>th</sup> Floor  
Harrisburg, PA 17101-1923  
Telephone: 717-783-5048  
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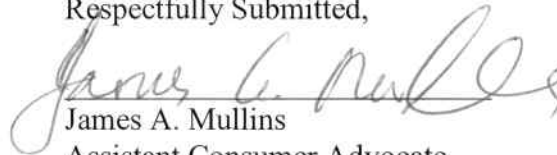
As a courtesy, the OCA requests that all electronic correspondence be copied to Cammie Shoen ([cshoen@paoca.org](mailto:cshoen@paoca.org)).

#### VII. PROPOSED SCHEDULE

The OCA will work with the Company and other parties to establish a litigation schedule. The OCA does request, however, that the hearings in this proceeding be coordinated with other pending cases resulting from the August 3<sup>rd</sup> Implementation Order, specifically, those

involving PECO Energy Company (Docket No. P-2012-2320334) and the FirstEnergy Companies (Docket No. P-2012-2320450, et al.) in order to avoid the need for any witnesses, including the Statewide Evaluator, to make multiple trips for the hearings.

Respectfully Submitted,



James A. Mullins  
Assistant Consumer Advocate  
PA Attorney I.D. # 77066  
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Counsel for:  
Irwin A. Popowsky  
Consumer Advocate

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Dated: September 7, 2012  
160408

CERTIFICATE OF SERVICE

Re: Petition of PPL Electric Utilities Corporation for an Evidentiary Hearing on the Energy Efficiency Benchmarks Established for the Period June 1, 2013 through May 31, 2016  
Docket No. P-2012-2320369

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

Dated this 7th day of September 2012.

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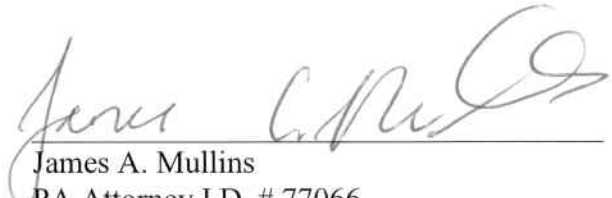
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