

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Metropolitan Edison Company)
For an Evidentiary Hearing on the Energy) P-2012-2320450
Efficiency Benchmarks Established for the Period)
June 1, 2013 through May 31, 2016)

**CITIZENS FOR PENNSYLVANIA’S FUTURE’S
PREHEARING CONFERENCE MEMORANDUM**

Now comes Citizens for Pennsylvania’s Future (hereinafter “PennFuture”), by counsel, and, in accordance with Administrative Law Judge, Elizabeth Barnes’s August 29, 2012 Prehearing Conference Order, submits the following Prehearing Conference Memorandum, addressing verbatim the required items.

(a) Consolidation of the above-referenced docket numbers or coordination of the hearings:¹

It is PennFuture’s position that these docket numbers should be consolidated. Some of the same evidence will need to be presented in each of these matters. Accordingly, consolidation would favor judicial economy, prevent duplicative testimony, and discourage inconsistent rulings.

(b) Coordination of this case with other petitions for evidentiary hearing filed at Docket Nos. P-2012-2320369 (PPL); (2) P-2012-2320450 (Met-Ed); (3) P-2012-2320480 (Penn Power); (4) P-2012-2320484 (West Penn); and (5) P-2012-2320468 (Penelec):

As noted above, these matters should be consolidated. To the extent consolidation proves to be impracticable, these matters should be coordinated as much as possible to promote judicial economy, prevent duplicative testimony, and discourage inconsistent rulings.

(c) Whether the hearings should be held separately, but back-to-back:

¹ It is assumed that the docket numbers referred to are actually listed in subsection (b) or the Order. These docket numbers consist of Nos.: P-2012-2320369 (PPL); (2) P-2012-2320450 (Met-Ed); (3) P-2012-2320480 (Penn Power); (4) P-2012-2320484 (West Penn); and (5) P-2012-2320468 (Penelec).

Again, it is PennFuture's position that these matters should be consolidated. Nonetheless, should these matters proceed under separate docket numbers as separate actions, it would be preferable for the hearings to take place back-to-back. Given the number of interested parties involved and all of the issues raised, it is likely, however, that multiple days will be required to address each matter. PennFuture objects to the consideration of any issue outside of the limited scope of review set forth in the Commission's Implementation Order, i.e. the consumption reduction requirement issue.

(d) The possibility for settlement of the proceeding, subject to the Commission's approval:

While PennFuture is amicable to engaging in settlement discussions, it will not agree to any settlement requiring a lowered agreed upon Phase II savings goals from those set forth in the Commission's Implementation Order. PennFuture objects to consideration of any matters outside of the limited review set forth in the Commission's Implementation Order.

(e) Whether the matter should be decided upon legal briefs, or whether a hearing is necessary:

PennFuture submits that this matter should be decided upon legal briefs.

(f) If a hearing is required, a procedural schedule will be discussed including the amount of hearing time necessary to dispose of the proceeding:

At this time, it is unknown whether some or all of these matters will be consolidated or coordinated. Accordingly, it is impossible for PennFuture to speculate as to the amount of time it may take to resolve all or a portion of these matters. Presumably, once a decision is made on the consolidation and/or coordination issues, PennFuture will be in a better position to address this matter.

(g) Arrangements for the submission of direct testimony of witnesses in writing in advance of the hearing to the extent practicable, and for the submission in advance of hearing of written requests for information which a party contemplates asking another party to present at hearing:

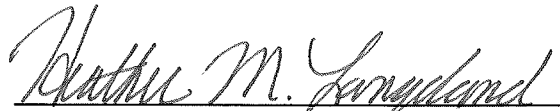
It is suggested that the name and subject matter of each witness be exchanged prior to the hearing (if a hearing is deemed the appropriate avenue to resolve this matter, which PennFuture maintains should be decided upon legal briefs). Depending on the date of the hearing, it is suggested that these be exchanged at least one week prior to the hearing. Procedure over discovery in this matter, given the compressed timeline, should be agreed upon by all parties at the Prehearing Conference.

(h) Other matters that may aid in expediting the orderly conduct and disposition of the proceeding and the furtherance of justice, including, but not limited to the following: (i) The exchange and acceptance of exhibits proposed to be offered into evidence; (ii) The obtaining of admissions as to, or stipulations of facts not remaining in dispute, or the authenticity of documents which might properly shorten the hearing; (iii) The limitation of the number of witnesses; and (iv) Discovery rules modifications:

(i) Should a hearing be required, it is recommended that exhibits be exchanged one week before the hearing; (ii) No stipulations of fact or stipulations as to the authenticity of documents are suggested at this time, however, PennFuture will cooperate in stipulating as to these items where appropriate with the goal of shortening the hearing(s), should they be required. It is further believed that this hearing would be shortened extensively should submission of the evidence be limited to the narrow scope of review set forth in the Commission's Implementation Order, i.e. limited to the consumption reduction issue; (iii) PennFuture does not propose any limitations at this time as the consolidation and/or

coordination of these matters is currently unknown; and (iv) no discovery rules modifications are suggested at this time, subject to resolution of the consolidation and/or coordination of these matters and issuance of any hearing date(s).

Respectfully submitted,



Heather M. Langeland, Staff Attorney

Pa. Bar Id. No. 207387

425 Sixth Avenue, Suite 2770

Pittsburgh, PA 15219

Phone: 412-258-6684

Fax: 412-258-6685

langeland@pennfuture.org

Counsel for Petitioner PennFuture

DATED: September 7, 2012

CERTIFICATE OF SERVICE

I, Heather M. Langeland, do hereby certify that a true and accurate copy of the foregoing
CITIZENS FOR PENNSYLVANIA'S FUTURE'S PREHEARING CONFERENCE
MEMORANDUM was served upon the following this 7th day of September, 2012, by
depositing a copy of the same in the United States mail, postage prepaid and addressed to:

STEVEN NADEL EXECUTIVE DIRECTOR
AMERICAN COUNCIL FOR AN ENERGY EFFICIENT ECONOMY
529 14TH STREET NW SUITE 600
WASHINGTON DC 20045

SCOTT DEBROFF ESQUIRE
RHOADS & SINON LLP
ONE SOUTH MARKET SQUARE
PO BOX 1146
HARRISBURG PA 17101
717-237-6716

KATHY JO KOLICH ESQUIRE
FIRSTENERGY
76 SOUTH MAIN STREET
AKRON OH 44308
330-384-4580

MICHAEL BODAKEN
NATIONAL HOUSING TRUST
1101 30TH STREET NW SUITE 400
WASHINGTON DC 20007
202-333-8931

DAN DELUREY PRESIDENT
ASSOCIATION FOR DEMAND RESPONSE AND SMARTGRID
1301 CONNECTICUT AVENUE NW SUITE 350
WASHINGTON DC 20036
202-296-1686

LAIN A CAMPBELL
JOHNSON CONTROLS INC. & ENERGYCONNECT
507 EAST MICHIGAN STREET

MILWAUKEE WI 53201-0423
414-524-4500
JEFF BEITER MANAGING PARTNER
EFINITY DG
129 PENNSYLVANIA AVE
WAYNE PA 19087
610-688-6212

BARRY A NAUM ESQUIRE
SPILMAN THOMAS & BATTLE PLLC
SUITE 101
1100 BENT CREEK BLVD
MECHANICSBURG PA 17050
(717) 795-2742

THEODORE ROBINSON ESQUIRE
CITIZEN POWER
2121 MURRAY AVENUE
PITTSBURGH PA 15217
412-421-7029

CHERIE EICHHOLZ EXECUTIVE DIRECTOR
PHILADELPHIA PHYSICIANS FOR SOCIAL RESPONSIBILITY
704 NORTH 23RD STREET
PHILADELPHIA PA 19130
215-765-8703

RICHARD SWEETSER SR ANALYST
MIDATLANTIC CLEAN ENERGY APPLICATION CENTER
4747 S BROAD STREET
PHILADELPHIA PA 19112
215-218-7582

JOSHUA CRAFT ESQUIRE
NORTHEAST ENERGY EFFICIENCY PARTNERSHIPS
91 HARTWELL AVENUE
LEXINGTON MA 02421
781-860-9177
CHRISTOV CHURCHWARD PROJECT MANAGER
ACTION HOUSING INC
925 SIXTH AVE
SUITE 950
PITTSBURGH PA 15219
412-281-2102

TISHEKIA WILLIAMS ATTORNEY

DUQUESNE LIGHT COMPANY
411 SEVENTH AVENUE
16TH FLOOR
PITTSBURGH PA 15219
412-393-1541

MARK C MARROW
PO BOX 858
ALLEY FORGE PA 19482

SCOTT J SCHWARZ ESQUIRE
CITY OF PHILADELPHIA
1515 ARCH STREET 16TH FLOOR
PHILADELPHIA PA 19102-1595
215-683-5170

LIZ ROBINSON PRES BOARD OF DIRECTORS
KEYSTONE ENERGY EFFICIENCY ALLIANCE
1924 ARCH STREET
PHILADELPHIA PA 19131
215-609-1033

LINDA METROPULOS CONSULTANT
ACTION-HOUSING INC
425 SIXTH AVENUE SUITE 950
PITTSBURGH PA 15219
412-281-2102 EXT 2032

MIRIAM HORN DIRECTOR
ENVIRONMENTAL DEFENSE FUND
257 PARK AVENUE SOUTH
NEW YORK NY 10010
646-641-9316

MATTHEW J AGEN ESQUIRE
POST & SCHELL PC
607 14TH STREET NW
WASHINGTON DC 20005-2006
202-661-6952

ROCCO PACE PRESIDENT
DELAWARE VALLEY CHAPTER AIR CONDITIONING CONTRACTORS OF AMERICA
994 OLD EAGLE SCHOOL RAOD
SUITE 1019
WAYNE PA 19087-1866
610.971.4850

JACKSON MORRIS DIR GOVERNMENT AFFAIRS
PACE ENERGY AND CLIMATE CENTER
744 BROADWAY
ALBANY NY 12207
914-539-1985

STACY RICHARDS
SEDA - COUNCIL OF GOVERNMENTS
201 FURNACE ROAD
LEWISBURG PA 17837
570-524-4491 EXT 231

JOE OSBORNE
GROUP AGAINST SMOG AND POLLUTION
5135 PENN AVENUE
PITTSBURGH PA 15224
412-924-0604

ANTHONY GAY ESQUIRE
JACK GARFINKLE ESQUIRE
PECO ENERGY COMPANY
2301 MARKET STREET
PHILADELPHIA PA 19103
215-841-4635

CHARLES TEPPER COORDINATOR
MONROE COUNTY WEATHERIZATION PROGRAM
145 WASHINGTON STREET
EAST STROUDSBURG PA 18301
570.424.5062

DONNA M J CLARK VP AND GENERAL COUNSEL
ENERGY ASSOCIATION OF PENNSYLVANIA
800 NORTH THIRD STREET SUITE 205
HARRISBURG PA 17102
717-901-0600

CRAIG R BURGRAFF ESQUIRE
HAWKE MCKEON & SNISCAK LL
P O BOX 1778
100 N TENTH STREET
HARRISBURG PA 17105-1778
717.236.1300

LAWRENCE A SWANSON DEPUTY EXECUTIVE DIR

ACTION-HOUSING INC
SUITE 950 925 SIXTH AVENUE
PITTSBURGH PA 15219-1819

PAMELA C POLACEK ESQUIRE
TERESA K SCHMITTBERGER ESQUIRE
MCNEES WALLACE & NURICK
100 PINE STREET
PO BOX 1166
HARRISBURG PA 17108-1166
717.237.5368

LAWRENCE W PLITCH VP
VEOLIA ENERGY
2600 CHRISTIAN STREET
PHILADELPHIA PA 19146

MARK SCHWARTZ
REGIONAL HOUSING LEGAL SERVICES
2 S EASTON ROAD
GLENSIDE PA 19038
215.572.7300

LUIS G MARTINEZ ESQUIRE
NATURAL RESOURCES DEFENSE COUNCIL
40 WEST 20TH STREET
NEW YORK NY 10011
212-727-4550

CRAIG R BURGRAFF ATTORNEY
HAWKE MCKEON & SNISCAK LLP
100 NORTH TENTH STREET
PO BOX 1778
HARRISBURG PA 17105
717.236.1300

ALAN RHODE
TRI STATE LIGHT AND ENERGY
2233 MANOR AVE
UPPER DARBY PA 19082
610-789-1900

THERON COLBERT
KVAR ENERGY SAVINGS INC
741 ORANGE AVENUE
DAYTON BEACH FL 32114

386-767-0048

DERRICK PRICE WILLIAMSON ESQUIRE
SPILMAN THOMAS & BATTLE PLLC
1100 BENT CREEK BOULEVARD SUITE 101
MECHANICSBURG PA 17050
(717) 795-2740

ANGUS STEINSON
304 WENDY DRIVE
FAYETTEVILLE PA 17222

TIMOTHY J SEELAUS PRESIDENT
EMC² DEVELOPMENT COMPANY INC
6011 UNIVERSITY BLVD SUITE 400
ELLCOTT CITY MD 21043
410-531-2480

JON THOMSEN EXECUTIVE VP
ECOVA INC
309 SW 6TH AVENUE #1000
PORTLAND OR 97204

JACK R GARFINKLE ESQUIRE
PECO ENERGY COMPANY
2301 MARKET STREET/S23-1
PO BOX 8699
PHILADELPHIA PA 19101-8699
215.841.4635

JOSH MCNEIL EXECUTIVE DIRECTOR
ENERNOC
PO BOX 2125
PHILADELPHIA PA 19147
215-564-3350

ROBERT GRAFF
DELAWARE VALLEY REGIONAL PLANNING COMMISSION
190 N IDEPENDENCE MALL WEST
8TH FLOOR
PHILADELPHIA PA 19106
215-238-2826

JANET MILKMAN
DELAWARE VALLEY GREEN BUILDING COUNCIL
ONE PENN CENTER

1617 JFK BLVD SUITE 999
PHILADELPHIA PA 19103
215.399.5790

ANDREW S TUBBS ESQUIRE
POST & SCHELL
12TH FLOOR
17 NORTH SECOND STREET
HARRISBURG PA 17101-1601
717-612-6057

GEORGE JUGOVIC ESQUIRE
CITIZENS FOR PENNSYLVANIA'S FUTURE
425 SIXTH AVENUE
SUITE 2770
PITTSBURGH PA 15219
412-258-6677

DAVID MASUR DIRECTOR
PENNENVIRONMENT
1420 WALNUT STREET SUITE 650
PHILADELPHIA PA 19102
215-732-5897

ZACHARY MAX FABISH ESQUIRE
THE SIERRA CLUB
50 F STREET
8TH FLOOR
WASHINGTON DC 20001
202-675-7917

ROGER E CLARK ESQUIRE
THE REINVESTMENT FUND
1700 MARKET STREET 19TH FLOOR
PHILADELPHIA PA 19103
215-574-5814

ALLEN M FREIFELD
VIRIDITY ENERGY INC
1801 MARKET STREET
PHILADELPHIA PA 19103
443-878-7155

WILLIAM KRAMER
SIERRA CLUB
425 M CRAIG STREET SUITE 202

PITTSBURGH PA 15213
412-802-6161

JOSEPH OTIS MINOTT EXECUTIVE DIRECTOR
CLEAN AIR COUNCIL
135 S 19TH STREET
SUITE 300
PHILADELPHIA PA 19103
215-567-4004

MIKE ANTONELLI PRESIDENT
NATIONAL ENERGY SOLUTIONS INC
245 LOWER MORRISVILLE RD
FALLSINGTON PA 19054
215-295-0800

HONORABLE CAMILLE GEORGE
PENNSYLVANIA HOUSE OF REPRESENTATIVES
38 B EAST WING
HARRISBURG PA 17120-2020

THOMAS SCHUSTER
SIERRA CLUB
PO BOX 51
WINDBER PA 15963
814-467-2614

RACHEL FILIPPINI EXECUTIVE DIRECTOR
GASP
5135 PENN AVENUE
PITTSBURGH PA 15224
412-924-0604

PAUL E RUSSELL ESQUIRE
PPL ELECTRIC UTILITIES CORPORATION
2 NORTH NINTH STREET
ALLENTOWN PA 18101
610-774-4254

THOMAS P GADSDEN ESQUIRE
KENNETH KULAK ESQUIRE
ANTHONY DeCAUSATIS ESQUIRE
BROOKE LEASCH ESQUIRE
MORGAN LEWIS AND BOCKIUS LLP
1701 MARKET STREET
PHILADELPHIA PA 19103

215-963-5234

JIM KAPSIS DIR OF REGULATORY AFFAIRS
OPOWER
1515 N COURTHOUSE RD
8TH FLOOR
ARLINGTON VA 22209
571-384-1322

MARK FENNELL
UGI PERFORMANCE SOLUTIONS
2975 ADVANCE LANE
COLMAR PA 18515

HARRY S GELLER EXECUTIVE DIRECTOR
PATRICK M CICERO ESQUIRE
BRYCE ROBERTSON
PA UTILITY LAW PROJECT
118 LOCUST STREET
HARRISBURG PA 17101
717-232-2719

TANYA MCCLOSKEY ESQUIRE
DAVID EVRARD ESQUIRE
OFFICE OF CONSUMER ADVOCATE
555 WALNUT STREET FIFTH FLOOR FORUM PLACE
HARRISBURG PA 17101-1923
717-783-5048

FRANK LACEY
MATTHEW H SMITH
COMVERGE INC
511 SCHOOLHOUSE ROAD
SUITE 200
KENNETT SQUARE PA 19348
484-734-2206

JAY DUFFY ESQUIRE
CLEAN AIR COUNCIL
135 SOUTH 19TH STREET SUITE 300
PHILADELPHIA PA 19103
215-567-4004 EXT 109

THU B TRAN ESQUIRE
ROBERT BALLENGER

JOSIE PICKENS
COMMUNITY LEGAL SERVICES INC
1424 CHESTNUT STREET
PHILADELPHIA PA 19102
215-981-3777

MARK F WAGNER VP
JOHNSON CONTROLS INC
507 EAST MICHIGAN STREET
PO BOX 423
MILWAUKEE WI 53202

AARON BREIDENBAUGH DIR OF REGULATORY AFFAIRS
ENERNOC INC
101 FEDERAL STREET SUITE 1100
BOSTON MA 02110
617-224-9918

COURTNEY LANE
CITIZENS FOR PENNSYLVANIA'S FUTURE (PENNFUTURE)
1500 WALNUT ST SUITE 502
PHILADELPHIA PA 19102
215-545-0484

ALICIA R DUKE ESQUIRE
RHOADS & SINON LLP
ONE SOUTH MARKET SQUARE
PO BOX 1146
HARRISBURG PA 17108-1146
DONALD CULBERTSON
PO BOX 2247
HARRISBURG PA 17105-2247

JENNEDY S JOHNSON ESQUIRE
OFFICE OF CONSUMER ADVOCATE
5TH FLOOR FORUM PLACE
555 WALNUT STREET
HARRISBURG PA 17101
717-783-5048

RACHEL BLAKE COORDINATOR
REGIONAL HOUSING LEGAL SERVICES
2 S EASTON ROAD
GLENSIDE PA 19038
215.572.7300

MARIE PIENIAZEK CHIEF OPERATING OFFICER
ENERGY CURTAILMENT SPECIALISTS INC
4455 GENESEE ST
BUFFALO NY 14225
877-711-5453

SAM WOLFE
VIRIDITY ENERGY INC
1801 MARKET STREET
PHILADELPHIA PA 19103
609-785-1005

MAGGIE MOLINA SR MANAGER
THE AMERICAN COUNCIL FOR AN ENERGY EFFICIENT ECONOMY
529 14TH STREET NW SUITE 600
WASHINGTON DC 20045

TERESA K SCHMITTBERGER ESQUIRE
MCNEES WALLACE AND NURICK LLC
100 PINE STREET
PO BOX 1166
HARRISBURG PA 17108
717-237-5270

STEVE ETSLER
AK STEEL
9227 CENTRE POINTE DRIVE
WEST CHESTER OH 45069
513-425-2723

DAVID B MACGREGOR ESQUIRE
POST & SCHELL PC
FOUR PENN CENTER
1600 JOHN F KENNEDY BOULEVARD
PHILADELPHIA PA 19103-2808
215-587-1197

TRI-STATE LIGHT & ENERGY
2233 MANOR AVENUE
UPPER DARBY PA 19082

MARK C MORROW ESQUIRE
CHIEF REGULATORY COUNSEL
UGI UTILITIES INC
460 NORTH GULPH ROAD
KING OF PRUSSIA PA 19406

WESTERN PA ACTION UNITED
5907 PENN AVENUE SUITE 300
PITTSBURG PA 15206

RONELL GUY
NORTHSIDE COALITION FOR FAIR HOUSING
PO BOX 100011
PITTSBURGH PA 15233

ALETHEA SIMMS
COALITION OF ORGANIZED RESIDENTS OF EAST LIBERTY
211 NORTH WHITFIELD STREET
SUITE 210
PITTSBURGH PA 15206

LA'TASHA D MAYES
NEW VOICES PENNSYLVANIA
WOMEN OF COLOR FOR REPRODUCTIVE JUSTICE
THE BEATTY BUILDING
5907 PENN AVENUE SUITE 340
PITTSBURGH PA 15206
KRISTIE WEILAND STAGNO
JUST HARVEST
A CENTERFOR ACTION AGAINST HUNGER
16 TERMINAL WAY
PITTSBURGH PA 15219

LINDSAY PATTERSON
PERSIDENT USW LOCAL 404
1505 W ALLEGHENY AVENUE
PHILADELPHIA PA 19140

ANTHONY M HELFER PRESIDENT
UFCW LOCAL 23
345 SOUTHPOINTE BOULEVARD
CANONSBURG PA 15317

KATI SIPP EXECUTIVE VICE PRESIDENT – POLITICS
SEIU HEALTHCARE PENNSYLVANIA
1500 NORTH 2ND STREET
HARRISBURG PA 17102

ABRAHAM AMOROS
LiUNA
4655 LINGLESTOWN ROAD SUITE D

HARRISBURG PA 17112-8544

SWATHMORE COOPERATIVE
341 DARTMOUTH AVENUE
SWATHMORE PA 19081

MARYELLEN DECKARD
ACTION UNITED
846 NORTH BROAD STREET
2ND FLOOR
PHILADELPHIA PA 19130

HOLLY RACHEL SMITH
HOLLY RACHEL SMITH PLLC
3803 RECTORTOWN ROAD
MARSHALL VA 20115

MIKE ANTONELLI
NATIONAL ENERGY SOLUTIONS INC
245 LOWER MORRISVILLE ROAD
FALLINGSTON PA 19054
DAVID EVANS
PENNSYLVANIA HOUSING FINANCE AGENCY
P O BOX 8029
HARRISBURG PA 17105-8029

SHAUN SPARKS ESQUIRE
PA PUBLIC UTILITY COMMISSION
BUREAU OF INVESTIGATION AND ENFORCEMENT
P O BOX 3265
HARRISBURG PA 17105-3265

SHARON WEBB ESQUIRE
OFFICE OF SMALL BUSINESS ADVOCATE
1102 COMMERCE BUILDING
300 NORTH SECOND STREET
HARRISBURG PA 17101

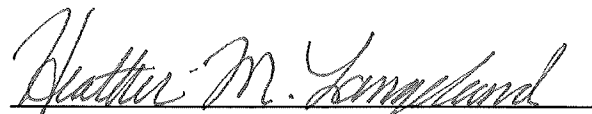
KRISS BROWN ESQUIRE
LAW BUREAU
PA PUBLIC UTILITY COMMISSION
400 NORTH STREET, THIRD FLOOR
PO BOX 3265
HARRISBURG, PA 17105-3265

CHARLES DANIEL SHIELDS ESQUIRE

BI&E - PA PUBLIC UTILITY COMMISSION
400 NORTH STREET, SECOND FLOOR WEST
PO BOX 3265
HARRISBURG, PA 17105-3265

COURTESY COPY TO:

ELIZABETH H. BARNES
ADMINISTRATIVE LAW JUDGE
P.O. BOX 3265
HARRISBURG, PA 17105-3265


Heather M. Langeland, Esq.