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File #: 140069

December 6, 2012

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor North  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**RE: Petition of PPL Electric Utilities Corporation for Approval of an Energy Efficiency and Conservation Plan - Docket No. M-2012-2334388**

Dear Secretary Chiavetta:

Enclosed for electronic filing is the Prehearing Conference Memorandum of PPL Electric Utilities Corporation for the above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Respectfully Submitted,



Andrew S. Tubbs

AST/jl

Enclosures

cc: Honorable Dennis J. Buckley (*via E-Mail & First Class Mail*)  
Certificate of Service

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

**VIA HAND DELIVERY**

Bureau of Investigation & Enforcement  
PO Box 3265  
Commonwealth Keystone Building  
400 North Street, 2nd Floor West  
Harrisburg, PA 17105-3265

**VIA E-MAIL & FIRST CLASS MAIL**

Elizabeth Rose Triscari, Esquire  
Office of Small Business Advocate  
Commerce Building  
300 North Second Street, Suite 1102  
Harrisburg, PA 17101

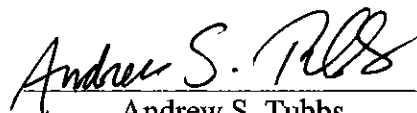
Dianne E. Dusman, Esquire  
Senior Assistant Consumer Advocate  
Office of Consumer Advocate  
555 Walnut Street  
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Kevin J. McKeon, Esquire  
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PO Box 1778  
100 North Tenth Street  
Harrisburg, PA 17101  
*For: UGI Distribution Companies*

Patrick M. Cicero, Esquire  
Harry S. Geller, Esquire  
Pennsylvania Utility Law Project  
118 Locust Street  
Harrisburg, PA 17102  
*For: CAUSE-PA*

Heather M. Langeland, Esquire  
PennFuture  
200 First Avenue, Suite 200  
Pittsburgh, PA 15222  
*For: PennFuture*

Date: December 6, 2012

  
\_\_\_\_\_  
Andrew S. Tubbs

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PPL Electric Utilities :  
Corporation for Approval of an Energy : Docket No. M-2012-2334388  
Efficiency and Conservation Plan :

**PREHEARING CONFERENCE MEMORANDUM OF  
PPL ELECTRIC UTILITIES CORPORATION**

**TO ADMINISTRATIVE LAW JUDGE DENNIS J. BUCKLEY:**

PPL Electric Utilities Corporation (“PPL Electric” or “Company”) hereby submits this Prehearing Conference Memorandum in compliance with the Prehearing Conference Order issued by Administrative Law Judge Dennis J. Buckley (“the ALJ”) on November 28, 2012.

**I. BACKGROUND**

On November 15, 2012, pursuant to Act 129 of 2008 (“Act 129”), P.L. 1592, 66 Pa.C.S. §§ 2806.1 and 2806.2, PPL Electric filed the above-captioned Petition with the Pennsylvania Public Utility Commission (“Commission”). Act 129, which became effective on October 15, 2008, created, *inter alia*, an energy efficiency and conservation (“EE&C”) program, codified in the Pennsylvania Public Utility Code, 66 Pa.C.S. §§ 2806.1, 2806.2. This program required each EDC with at least 100,000 customers to adopt and implement a Commission-approved EE&C Plan. EE&C plans are programs designed to achieve the Act 129 conservation and peak load reduction requirements, by specified dates, within the specified cost cap.

In its Petition, PPL Electric requested Commission approval of PPL Electric’s Phase II (June 1, 2013 – May 31, 2016) Energy Efficiency and Conservation Plan (“Phase II EE&C Plan”) filed pursuant to the Implementation Order the Commission issued in Docket Nos. M-2012-2289411, M-2008-2069887. *Energy Efficiency and Conservation Program*, Docket Nos.

M-2012-2289411, M-2008-2069887, 2012 Pa. PUC LEXIS 1259 (Implementation Order entered on August 3, 2012) (“*2012 Implementation Order*”). The Phase II EE&C Plan includes a broad portfolio of energy efficiency programs, conservation practices and energy education initiatives. These integrated programs are designed to meet the goals established by Sections 2806.1 and 2806.2 of Act 129 and the Commission’s *2012 Implementation Order*.

On November 28, 2012, a Prehearing Conference Order was issued which directed the parties to file prehearing conference memoranda on or before December 6, 2012. Pursuant to the Prehearing Conference Order, PPL Electric hereby submits this Prehearing Conference Memorandum.

On December 1, 2012, a notice of PPL Electric’s November 15, 2012 filing was published in the *Pennsylvania Bulletin* providing that comments on the Phase II EE&C Plan are due December 21, 2012.

On December 3, 2012, UGI Utilities, Inc. – Gas Division, UGI Penn Natural Gas, Inc. and UGI Central Penn Gas, Inc. filed a Petition to Intervene.

On December 4, 2012, PPL Electric submitted direct testimony in support of its November 15, 2012 Petition and the Phase II EE&C Plan.

On December 5, 2012, the Office of Small Business Advocate filed a Notice of Intervention.

On December 6, 2012, the Office of Consumer Advocate filed a Notice of Intervention. The Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania filed a Petition to Intervene on December 6, 2012. Citizens for Pennsylvania’s Future filed a Petition to Intervene on December 6, 2012.

## **II. SERVICE OF DOCUMENTS**

PPL Electric's counsel in this proceeding are Paul E. Russell, Esquire, David B. MacGregor, Esquire, and Andrew S. Tubbs, Esquire. PPL Electric requests that Andrew S. Tubbs be listed as the recipient for service. Mr. Tubbs' contact information is provided below:

Andrew S. Tubbs (ID # 80310)  
Post & Schell, P.C.  
17 North Second Street, 12th Floor  
Harrisburg, PA 17101-1601  
Phone: 717-612-6057  
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PPL Electric also requests that Mr. Russell and Mr. MacGregor be added to any informal e-mail distribution lists in this proceeding. Mr. Russell's e-mail address is perussell@pplweb.com, and Mr. MacGregor's e-mail address is dmacgregor@postschell.com. In addition, PPL Electric agrees to receive service of documents electronically in this proceeding.

## **III. WITNESSES AND ISSUES**

A list of witnesses and a description of testimony is provided below. The testimony and related exhibits fully support PPL Electric's proposed Phase II EE&C Plan. PPL Electric reserves the right to present additional witnesses, as necessary, to address issues that may be raised by other parties as this case moves forward.

- Mary E. Thompson Grassi – Customer Program Specialist, PPL Electric Utilities Corporation, 2 North Ninth Street, Allentown, PA 18101. Ms. Thompson Grassi's telephone number is (610) 774-4755. Ms. Thompson Grassi will address PPL Electric's objectives, philosophy, and the process applied to prepare its Phase II EE&C Plan;
- Dr. M. Hossein Haeri, Principal, The Cadmus Group, 720 SW Washington Street, Suite 400 Portland, OR 97205. Dr. Haeri's telephone number is (503) 228-2992. Dr. Haeri will address PPL Electric's Phase II performance requirements, how the

proposed Phase II EE&C Plan was developed, and how the plan is in compliance with the Phase II performance requirements; and

- Joseph M. Kleha, Manager – Regulatory Compliance and Rates, PPL Electric Utilities Corporation, 2 North Ninth Street, Allentown, PA 18101. Mr. Kleha’s telephone number is (610) 774-4486. Mr. Kleha will address cost development, cost allocation and cost recovery issues.

#### **IV. PROCEDURAL SCHEDULE**

The procedural schedule for this proceeding is set forth in the Prehearing Conference Order. The procedural schedule is as follows:

November 15, 2012	EE&C Plan Phase II filed
December 1, 2012	Publication in the <i>Pennsylvania Bulletin</i>
December 10, 2012	Prehearing Conference
December 21, 2012	Other Parties’ Comments/Direct Testimony
January 10, 2013	Rebuttal Testimony
January 16, 2013	Hearing – Harrisburg, PA
January 28, 2013 <sup>1</sup>	Main Briefs Due
February 7, 2013	Reply Comments/Revised Plan
February 14, 2013	Certification of the Record
March 14, 2013	Commission Order

PPL Electric does not object to the procedural schedule set by the ALJ.

#### **V. DISCOVERY**

Recognizing that the schedule for adjudication of this case is very tight, PPL Electric proposes the following modifications to the Commission's procedural rules regarding discovery:

1. Answers to written interrogatories shall be served in-hand within ten calendar days of service.

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<sup>1</sup> The proposed procedural schedule included Saturday, January 26, 2013 as the Main Brief due date.

2. Objections to interrogatories shall be communicated orally within three calendar days of service of the interrogatories; unresolved objections shall be filed in writing within five days of service of the interrogatories.
3. Motions to dismiss objections and/or direct the answering of interrogatories shall be filed within three calendar days of service of the written objections.
4. Answers to motions to dismiss objections and/or answering of interrogatories shall be filed within three calendar days of service of such motions.
5. Ruling over such motions shall be issued, if possible, within seven calendar days of the filing of the motion.
6. Requests for admissions will be deemed admitted unless answered within ten calendar days or objected to within five calendar days of service.
7. Answers to on-the-record data requests shall be served in-hand within seven calendar days of the requests.
8. Any discovery served after 12:00 p.m. on a Friday will be deemed to have been served on the following business day.
9. All discovery due dates be "in-hand" and that electronic or fax service on the due date will satisfy the "in-hand" requirement, where such service is immediately followed by a hard copy sent by first-class mail.

In addition, PPL Electric is willing to participate in informal discovery with the other parties.

#### **VI. PUBLIC INPUT HEARINGS**

PPL Electric is not aware of any substantial consumer interest with respect to this proceeding. PPL Electric does not propose that any public input hearings be held absent substantial public interest in this proceeding and specific requests for such hearings.

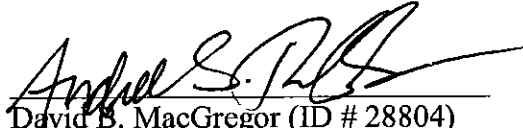
#### **VII. PROTECTION OF CONFIDENTIAL INFORMATION**

If necessary and should the case proceed to hearing, PPL Electric will timely submit an appropriate Motion for Protective Order.

**VIII. SETTLEMENT**

To date no formal settlement discussions have been held. However, PPL Electric will be working with the parties in an effort to resolve this proceeding through settlement.

Respectfully submitted,



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Of Counsel:

Post & Schell, P.C.

Date: December 6, 2012

Attorneys for PPL Electric Utilities Corporation