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March 29, 2013

Rosemary Chiavetta, Secretary  
PA Public Utility Commission  
PO Box 3265  
Harrisburg, PA 17105-3265

Re: PA Public Utility Commission, Bureau of Investigation and Enforcement v.  
Glacial Energy of Pennsylvania, Inc., Docket No. C-2012-2297092

Dear Secretary Chiavetta:

Enclosed for filing in the above-captioned matter please find Respondent's Substitution Of Corrected 'Exhibit I' Re: Respondent's Motion For Summary Judgment.

Sincerely,

Robert B. Hoffman

RBH/glp  
Enclosures

cc: Heidi L. Wushinske (w encl)  
Wayne T. Scott (w encl)

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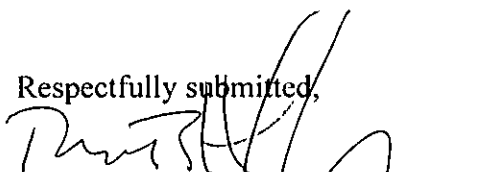
**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	)	
Bureau of Investigation and Enforcement,	)	
Petitioner,	)	
v.	)	Docket No. C-2012-2297092
	)	Judge Salapa
Glacial Energy of Pennsylvania, Inc.,	)	
Respondent.	)	

**RESPONDENT'S SUBSTITUTION OF CORRECTED 'EXHIBIT I'**  
**RE: RESPONDENT'S MOTION FOR SUMMARY JUDGMENT**

Respondent Glacial Energy of Pennsylvania, Inc., hereby submits a Corrected "Exhibit I" (I&E Objections to Respondent's First Set of Interrogatories and Request for Production of Documents, Objections to Interrogatory 8 and Document Request 9) in connection with its pending Motion for Summary Judgment. As filed, the Exhibit inadvertently included I&E's Objection to Document Request 8 (and 9) rather than the Objection to Interrogatory 8 (and to Document Request 9). The Exhibit is attached to the Statement of Undisputed Material Facts State filed with the Summary Judgment Motion.

Respectfully submitted,



Daniel Clearfield, PA I.D. 26183  
Robert B. Hoffman, PA I.D. No. 23846  
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John McGahren  
Patton Boggs LLP  
One Riverfront Plaza, 6<sup>th</sup> Floor  
Newark, NJ 07102

*Attorneys for Glacial Energy of  
Pennsylvania, Inc*

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EXHIBIT I  
(CORRECTED)

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Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement

v.

Glacial Energy of Pennsylvania, Inc.  
Docket No.: C-2012-2297092

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Objection of the Bureau of Investigation and Enforcement  
To Glacial Interrogatories and Request for Documents – Set I

I&E Respondent: Heidi Wushinske

Glacial Energy-I&E-8: A,B,C.

Identify all information you deem credible that disputes the conclusions that:

- A. Gary Mole never held an officer or director position in Franklin;
- B. Gary Mole never managed the day-to-day business activities of Franklin; and
- C. The loss of Franklin's REP license in Texas is not attributable to any actions or inactions of Mr. Mole.

Response:

Objection. This discovery request as phrased is argumentative as it requires the adoption of an assumption that Gary Mole never held an officer or director position in Franklin or managed the day-to-day business activities of Franklin. The discovery request further requires the adoption of an assumption that the loss of Franklin's REP license in Texas is not attributable to any actions or inactions of Mr. Mole.

Objection. This discovery request seeks information not relevant to the subject matter of the Complaint and is not reasonably calculated to lead to the discovery of admissible evidence for this proceeding. Gary Mole's position in Franklin and whether the loss of Franklin's REP license in Texas was attributable to any actions or inactions of Mr. Mole is not relevant to the sole count in the complaint, which involves Glacial's failure to disclose required information on its license application form.

Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement

v.

Glacial Energy of Pennsylvania, Inc.  
Docket No.: C-2012-2297092

Objection of the Bureau of Investigation and Enforcement  
To Glacial Interrogatories and Request for Documents – Set I

I&E Respondent: Heidi Wushinske

*Glacial Energy-I&E- Document Request 9.*

Produce all documents you deem credible that dispute the conclusion that Gary Mole never held an officer or director position in Franklin nor did he manage the day-to-day business activities of Franklin, as per Interrogatory 9.

Response:

Objection. This discovery request as phrased is argumentative as it requires the adoption of an assumption that Gary Mole never held an officer or director position in Franklin or managed the day-to-day business activities of Franklin.

Objection. This discovery request seeks information not relevant to the subject matter of the Complaint and is not reasonably calculated to lead to the discovery of admissible evidence for this proceeding. Gary Mole's position in Franklin is not relevant to the sole count in the complaint, which involves Glacial's failure to disclose required information on its license application form.

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

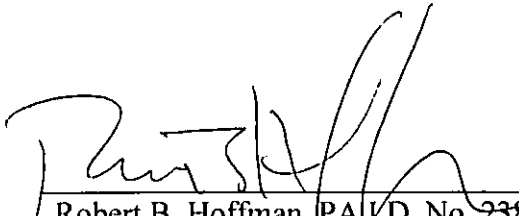
Pennsylvania Public Utility Commission,	)	
Bureau of Investigation and Enforcement	)	
Petitioner,	)	
v.	)	Docket No. C-2012-2297092
	)	(Judge Salapa)
Glacial Energy of Pennsylvania, Inc.	)	
Respondent.	)	

**CERTIFICATE OF SERVICE**

I hereby certify that on March 29, 2013, I caused a true and correct copy of  
RESPONDENT'S SUBSTITUTION OF CORRECTED 'EXHIBIT I' RE: RESPONDENT'S  
MOTION FOR SUMMARY JUDGMENT to be served upon the following persons by first class  
mail, postage prepaid, in accordance with the requirements of 52 Pa. Code § 1.54:

Heidi L. Wushinske  
Prosecutor  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

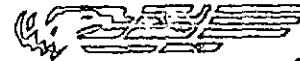
Wayne T. Scott  
First Deputy Chief Prosecutor  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

  
Robert B. Hoffman, PA J.D. No. 23846  
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ECKERT SEAMANS  
CHERIN & MELLOTT, LLC

*213 Market Street, Eighth Floor  
Harrisburg, PA 17101-2132*

Rosemary Chiavetta, Secretary  
PA Public Utility Commission  
PO Box 3265  
Harrisburg, PA 17105-3265

**ECKERT  
SEAMANS**