



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE  
REFER TO OUR FILE

April 19, 2013

Secretary Rosemary Chiavetta  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

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

Dear Secretary Chiavetta:

Enclosed please find the proposed subpoena for Roger McAulay in the above-referenced proceeding. The proposed subpoena was inadvertently not included with the Bureau of Investigation and Enforcement's Application for Subpoena that was filed on April 19, 2013.

Copies are being served on all active parties of record. If you have any questions, please contact me at (717) 772-8839.

Sincerely,

Stephanie M. Wimer  
Prosecutor  
Bureau of Investigation and Enforcement  
PA Attorney ID No 207522

Enclosure

cc: As per certificate of service  
Hon. David A. Salapa

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SECRETARY'S BUREAU



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In the Matter of:  
Pennsylvania Public Utility Commission,  
Bureau of Investigation and Enforcement  
v.  
Glacial Energy of Pennsylvania, Inc.

Docket No. C-2012-2297092

SUBPOENA

To: Roger McAulay, 15085 Huntington Gates Drive, Poway, CA 92064  
(Name and Address)

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Pursuant to the authority of this Commission under §§309, 331(d)(2) and 333(j) of the Public Utility Code:

1. YOU ARE ORDERED by the Commission to come to Hearing Room 2,  
Plaza Level, Commonwealth Keystone Building, 400 North Street, at Harrisburg  
Pennsylvania, on May 7 and 8, 2013, at 10:00 o'clock each day, in the above case,  
to testify on behalf of the Bureau of Investigation and Enforcement and to remain until excused;

2. And bring with you and produce the following: (1) all documents identifying or relating any information pertaining to Gary Mole's role as a director and officer of Franklin Power Company, also known as Energy West Resources, Ltd, d/b/a Franklin Power Company, his management of the day-to-day business activities of Franklin Power Company and his role as a majority shareholder of Franklin Power Company; and (2) all documents relating any information pertaining to Gary Mole's regulatory experience in Texas with both Franklin Power Company and Glacial Energy of Texas, Inc.

This subpoena is issued subject to the provisions of 52 Pa. Code §5.421 (with regard to issuance, notice, service and witness fees).

BY THE COMMISSION

Date \_\_\_\_\_

\_\_\_\_\_  
David A. Salapa  
Administrative Law Judge

Commonwealth of Pennsylvania )  
 ) SS:  
Count of )

**AFFIDAVIT OF SERVICE**

Before me, the undersigned authority, personally appeared \_\_\_\_\_  
who, being duly sworn according to law, deposes and says that he/she served a true and correct  
copy of the within SUBPOENA upon \_\_\_\_\_  
by handing the same to him/her at \_\_\_\_\_ on the  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_\_ a.m./p.m.

\_\_\_\_\_  
(Signature)

Sworn to and subscribed before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
*Notary Public*

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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,  
Bureau of Investigation and Enforcement,  
Complainant

v.

Glacial Energy of Pennsylvania, Inc.,  
Respondent

Docket No. C-2012-2297092

**CERTIFICATE OF SERVICE**

I hereby certify that I am this day serving a true copy of the foregoing Application for Subpoena, either personally, by first class mail, electronic mail, express mail and/or fax upon the persons listed below, in accordance with the requirements of 52 Pa. Code §§5.421(b)(4) and 1.54 *et seq.* (relating to service by a party).

**Service by First Class Mail:**

Robert B. Hoffman, Esquire  
Daniel Clearfield, Esquire  
Eckert Seamans Cherin & Mellott, LLC  
213 Market Street, Eighth Floor  
Harrisburg, PA 17101

Joel Glassman  
Business Filings, Inc.  
116 Pine Street, Suite 320  
Harrisburg, PA 17101

John McGahren, Esquire  
Stephanie Feingold, Esquire  
Patton Boggs LLP  
The Legal Center  
One Riverfront Plaza  
1037 Raymond Blvd., Suite 600  
Newark, NJ 07102



Stephanie M. Wimer  
Prosecutor

Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265  
(717) 787-5000

Dated: April 19, 2013

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