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KJR

May 19, 1997

000082

Prothonotary  
Pennsylvania Public Utility Commission  
Post Office Box 3265  
North Office Building  
Harrisburg, PA 17105-3265

RE: PP&L's Restructuring Plan Filing Docket No. R-00973954

Dear Sir/Madam:

Please find enclosed one (1) original and three (3) copies of the First Set of Interrogatories submitted to PP&L that I wish to file on behalf of The Commission on Economic Opportunity (CEO). This Certificate indicates service of the Interrogatories previously filed by CEO upon PP&L and all other appropriate parties. Thank you in advance for your professional courtesy in this regard.

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97 MAY 20 10 31 AM '97

Very truly yours,

VOUGH & MECADON



MICHAEL T. VOUGH, ESQUIRE  
Attorney for the Commission on  
Economic Opportunity

MTV/gss

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ORIGINAL

COMMONWEALTH OF PENNSYLVANIA  
BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE: R-00973954

PENNSYLVANIA POWER AND LIGHT  
APPLICATION FOR APPROVAL OF RESTRUCTURING PLAN

FIRST SET OF INTERROGATORIES SUBMITTED  
TO PENNSYLVANIA POWER AND LIGHT BY  
THE COMMISSION ON ECONOMIC OPPORTUNITY  
OF LUZERNE COUNTY

1. What is PP&L's annual level of funding for universal service programs and energy conservation programs?

2. Please discuss in detail any and all estimates PP&L has made regarding increases or decreases in the level funding for those programs described in Question 1 over the course of the next ten (10) years.

3. With regard to PP&L's estimates discussed in Question 2, in the event of an increase, does PP&L believe that these increases adequately meet the needs of the universal service programs and energy conservation programs?

4. In the event of an estimated decrease in funding, what would be the justification for such an action?

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5. On what basis does PP&L determine the adequacy of funding for the universal service programs and energy conservation programs; i.e. needs assessments, customer studies, etc.?

6. Please provide copies of any and all information - i.e., needs assessments, customer studies, work papers, etc. - mentioned in response to Question (5).

7. Based on the information provided, how does PP&L intend to justify its funding based on the PUC's proposed order which provides in pertinent part that: "a distribution company's level of expenditures should reflect at least 0.2% of revenues for LIURP and 0.5% of jurisdictional revenues for CAP"?

8. Using 1996 revenues and 1996 LIURP and CAP expenditures, what percentage of jurisdictional revenues does PP&L spend on CAP and LIURP?

9. Based on 1996 jurisdictional revenues, what would PP&L's annual level of universal service and energy conservation program expenditures be if the Commission requires each distribution company to spend at least 0.2% of revenues of LIURP and 0.5% of jurisdictional revenues for CAP?

10. Based on 1996 jurisdictional revenues, what would PP&L's annual level of universal service and energy conservation program expenditures be if the Commission requires each distribution company to spend at least 0.25% of revenues of LIURP and 0.75% of jurisdictional revenues for CAP?

11. How many households does PP&L propose to serve annually for each of its proposed universal service and energy conservation programs?

12. What programs does PP&L propose to provide to meet its universal service and energy conservation obligations?

13. For each of the programs mentioned in response to Question (12), please provide PP&L's current funding levels, and anticipated funding levels for years 1997, 1998, 1999, 2000, and 2001?

14. Does PP&L estimate that the level of funding for those programs listed in Question 12 and provided for in the answer to Question (13) are adequate to meet projected needs over the course of the years mentioned?

15. If PP&L estimates that the levels this funding is adequate in response to Questions (12) and (13), what basis did PP&L utilize in making such a determination?

16. Please provide copies of any and all information - i.e., needs assessments, customer studies, work papers, etc. - mentioned in response to Question (15).

17. What is the current level of enrollment of the OnTrack program?
  
18. Does PP&L have a estimate of the level of enrollment of the OnTrack program for each year beginning with 1997 and ending with 2001?
  
19. Upon what does PP&L base this estimate of the enrollment in OnTrack?
  
20. Please provide copies of any and all information - i.e., needs assessments, customer studies, work papers, etc. - mentioned in response to Question (19).
  
21. What is the estimated annual level of funding for the OnTrack program for the years 1997, 1998, 1999, 2000, 2001?
  
22. Based upon those estimates for the level of funding provided in response to Question (21), does PP&L believe that the OnTrack program will be adequately funded?
  
23. If PP&L believes that the estimated levels of funding for OnTrack for the next five years is adequate, please provide any and all information - i.e., needs assessments, customer studies, workpapers, etc. - that was utilized in making this determination?

24. What is the current number of PP&L customers that are estimated to be eligible for enrollment in the OnTrack program?

25. Please provide any and all information utilized in determining the estimated amount of PP&L customers that are eligible for the OnTrack program.

26. What was PP&L's total gross write-offs for low income customers for the last five years 1992, 1993, 1994, 1995, 1996?

27. Please provide the methods utilized by PP&L in calculating the total gross write-offs for low income customers as requested in Question (26)?

28. Please define "payment troubled" customer.

29. Approximately how many payment troubled customers does PP&L currently serve?

30. Approximately how many households with incomes at or below 150% of the federal poverty guidelines does PP&L serve?

31. Approximately how many of these households mentioned in response to Question (30) are payment troubled?

32. Approximately how many households with incomes between 151% and 200% of the federal poverty guidelines does PP&L serve?

33. Approximately how many of those households mentioned in response to Question (32) are payment troubled?

34. Approximately how many households with incomes between 201% and 250% of the federal poverty guidelines does PP&L serve?

35. Approximately how many of those households mentioned in response to Question (34) are payment troubled?

36. What methodology, if any, was utilized in reaching the estimates made in response to Questions (30) through (35)?

37. Approximately how many of those households mentioned in response to Question (30) would be eligible for CAP?

38. Approximately how many of those customers mentioned in response to Question (32) would be eligible for CAP?

39. Approximately how many of those customers mentioned in response to Question (34) would be eligible for CAP?

40. How many residential baseload - i.e., non-electric heat - customers does PP&L have?

41. Approximately how many of those customers mentioned in response to Question (30) are baseload only customers?

42. Approximately how many of those households mentioned in response to Question (41) are payment troubled?

43. How many baseload only customers mentioned in response to Question (41) would be eligible for LIURP?

44. Approximately how many of those customers mentioned in response to Question (32) are base load only customers?

45. Approximately how many of those households mentioned in response to Question (44) are payment troubled?

46. How many of the baseload only customers mentioned in response to Question (44) would be eligible for LIURP?

47. Approximately how many of those customers mentioned in response to Question (34) are baseload customers only?

48. Approximately how many of those households mentioned in response to Question (47) are payment troubled?

49. How many of the baseload only customers mentioned in response to Question (47) would be eligible for LIURP?

50. What methodology, if any, was utilized to reach the estimates provided as responses to Questions (29) through (49)?

51. Using 1996 figures, if PP&L shifted funds from write-offs, collection expenses, costs associated with handling customer complaints from inception to formal hearing, and all other annual costs attributable to payment troubled low income customers, how much potential universal service and energy conservation funding would this represent?

52. In direct testimony and in response to Commission filing guidelines (i.e. Statement 16 and RP-P1, P2, P3, P5, P6, P7, P8, P9, P10, and P11), PP&L estimates total gross write-offs for the residential customers at \$22.7 million dollars. Of that 5.6 million is attributed to gross write-offs of low income active accounts, \$1 million for OnTrack revenue shortfall, and \$434,000.00 for OnTrack arrearage forgiveness. Additionally, it is estimated that 50% of terminations are low income for level 1 accounts and 20% are level 2 accounts for an additional total of 6.6 million dollars in write-offs. If correct, this means that of the 29.9 million dollars of total gross write-offs, 23.3 million dollars is directly attributable to low income. Please provide all data on which these estimates are based.

53. In direct testimony and in response to Commission filing guidelines (i.e. Statement 16 and RP-P1, P2, P3, P5, P6, P7, P8, P9, P10, and P11), PP&L estimates that it has 177,464 low income customers and that 58,000 of these are payment troubled. Further, PP&L states that 16% of its 1,081,949 residential customers are low income and that 78% of PP&L's gross write-offs are attributable to them. Additionally, PP&L estimates that 50% of its estimated 47.7 million dollars in arrearages are attributable to low income customers. Please provide all data on which these estimates are based.

54. In direct testimony and in response to Commission filing guidelines (i.e. Statement 16 and RP-P1, P2, P3, P5, P6, P7, P8, P9, P10, and P11), PP&L states that it is spending between \$900.00 and \$1,000.00 per customer for OnTrack? Please provide all data upon which these estimates are based. Further, please provide a detailed breakdown of what these funds are used for, i.e., amounts for program administration, monthly cash assistance, arrearage reduction, etc.

55. Please provide a copy of PP&L's comments on the Commission's Tentative Order regarding Guidelines for Universal Service and Energy Conservation Programs Made Pursuant to 66 Pa.C.S. 2803, 2802(17), 2804(8) and 2804(9) at Docket No. M-009608990 f0010.

56. Please provide copies of all PP&L reports, need based assessments, studies, work papers, and other work products used in developing PP&L's response to paragraph A, "Universal service and [energy] conservation programs as components of restructuring," of the Commissions Tentative Order regarding Guidelines for Universal Service and Energy Conservation Programs.

57. Please provide copies of all PP&L reports, need based assessments, studies, work papers, and other work products used in developing PP&L's response to paragraph B, "Eligibility," of the Commissions Tentative Order regarding Guidelines for Universal Service and Energy Conservation Programs.

58. Please provide copies of all PP&L reports, need based assessments, studies, work papers, and other work products used in developing PP&L's response to paragraph C, "Universal Service Components," of the Commissions Tentative Order regarding Guidelines for Universal Service and Energy Conservation Programs.

59. Please provide copies of all PP&L reports, need based assessments, studies, work papers, and other work products used in developing PP&L's response to paragraph D, "CAP Enrollment," of the Commissions Tentative Order regarding Guidelines for Universal Service and Energy Conservation Programs.

60. Please provide copies of all PP&L reports, need based assessments, studies, work papers, and other work products used in developing PP&L's response to paragraph E, "Expenditures," of the Commissions Tentative Order regarding Guidelines for Universal Service and Energy Conservation Programs.

61. Please provide copies of all PP&L reports, need based assessments, studies, work papers, and other work products used in developing PP&L's response to paragraph F, "Funding of Universal Service and Conservation Program," of the Commissions Tentative Order regarding Guidelines for Universal Service and Energy Conservation Programs.

**COMMONWEALTH OF PENNSYLVANIA  
BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**IN RE: R-00973954**

**PENNSYLVANIA POWER AND LIGHT  
APPLICATION FOR APPROVAL OF RESTRUCTURING PLAN**

---

**THE COMMISSION ON ECONOMIC OPPORTUNITY'S  
CERTIFICATE OF SERVICE**

I, Michael T. Vough, Esquire, hereby certify that on this day, May 19, 1997, I served a true and exact copy of the Complaint filed by the Commission on Economic Opportunity upon the active participants to this action listed below by providing the same via postage-paid, U.S. Mail to their respective addresses:

Paul E. Russel, Esquire  
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Michael A. Stosser, Esquire  
Kraft Foods, Inc.  
815 Connecticut Avenue NW  
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Washington DC 20006-4004

DATED THIS DAY, MAY 19, 1997:

  
\_\_\_\_\_  
MICHAEL T. VOUGH, ESQUIRE  
Greater Pittston Professional Center  
126 South Main Street  
Pittston, PA 18640-1793



**Pennsylvania Power & Light Company**

Two North Ninth Street • Allentown, PA 18101-1179 • 610/774-5151

Paul E. Russell  
Associate General Counsel  
610/774-4254

FAX: 610/774-6726

May 19, 1997

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PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

**VIA FEDERAL EXPRESS**

James J. McNulty, Esquire  
Prothonotary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, Pennsylvania 17105-3265

**Re: Pennsylvania Power & Light Company  
Restructuring Plan  
Docket No. R-00973954**

---

Dear Mr. McNulty:

Attached for filing, pursuant to the Commission's regulations, 52 Pa. Code § 5.342(d), is a Certificate of Service identifying answers to interrogatories that Pennsylvania Power & Light Company served today on the active participants in this proceeding.

If you have any questions regarding this matter, please call.

Very truly yours,

Paul E. Russell

Attachment

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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MAY 19 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

\_\_\_\_\_  
Pennsylvania Power & Light Company :  
Restructuring Plan Filing : Docket No. R-00973954

\_\_\_\_\_  
**CERTIFICATION OF SERVICE**  
\_\_\_\_\_

I hereby certify that I have this day served a true copy of Pennsylvania Power & Light Company's answers to the Office of Consumer Advocate's Interrogatories, Set VII, Questions 1-6, upon the active participants listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

**Federal Express**

Johnnie Simms, Esquire  
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MAY 21 1997

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Cambridge, MA 02140

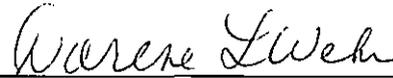
Thomas S. Catlin  
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Stephen J. Baron  
J. Kennedy and Associates, Inc.  
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Atlanta, GA 30328

Bruce Biewald  
Synapse Energy Economics, Inc.  
101 Chilton Street  
Cambridge, MA 02138

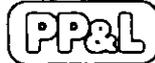
Terrance J. Fitzpatrick, Esquire  
Ryan, Russell, Ogden & Seltzer, LLP  
800 North Third Street  
Suite 101  
Harrisburg, PA 17102-2025

Dated this 19th day of May, 1997.



---

Dorene L. Wehr



**Pennsylvania Power & Light Company**

Two North Ninth Street • Allentown, PA 18101-1179 • 610/774-5151

Paul E. Russell  
Associate General Counsel  
610/774-4254

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May 19, 1997

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PA PUBLIC UTILITY COMMISSION  
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**VIA FEDERAL EXPRESS**

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**Re: Pennsylvania Power & Light Company  
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Docket No. R-00973954**

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Dear Mr. McNulty:

Attached for filing, pursuant to the Commission's regulations, 52 Pa. Code § 5.342(d), is a Certificate of Service identifying answers to interrogatories that Pennsylvania Power & Light Company served today on the active participants in this proceeding.

If you have any questions regarding this matter, please call.

Very truly yours,

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PA PUBLIC UTILITY COMMISSION  
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\_\_\_\_\_  
Pennsylvania Power & Light Company :  
Restructuring Plan Filing : Docket No. R-00973954

\_\_\_\_\_  
**CERTIFICATION OF SERVICE**  
\_\_\_\_\_

I hereby certify that I have this day served a true copy of Pennsylvania Power & Light Company's answers to Allegheny Power's Interrogatories, Set 1, Questions 1 through 10 upon the active participants listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

**Federal Express**

Johnnie Simms, Esquire  
Office Of Trial Staff  
Pennsylvania Public Utility Commission  
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901 North Seventh Street - Rear  
Harrisburg, PA 17105-3265

James A. Mullins, Esquire  
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Greensburg, PA 15601-1689

Paul E. Nordstrom  
Verner & Lipfert, Berhard, McPherson & Hand  
901 15th Street, N.W., Suite 700  
Washington, DC 20005

Dated this 19th day of May, 1997.

  
\_\_\_\_\_  
Dorene L. Wehr

LAW OFFICES  
WOLF, BLOCK, SCHORR AND SOLIS-COHEN

305 N. FRONT STREET  
SUITE 401  
HARRISBURG, PA 17101-1236

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FACSIMILE: (717) 237-7161

DIRECT DIAL NUMBER:  
(717) 237-7172

000005

May 19, 1997

Paul E. Russell, Esquire  
Pennsylvania Power & Light Company  
2 North 9th Street  
Allentown, PA 18101

RE: Application of Pennsylvania Power & Light Company  
for Approval of its Restructuring Plan Under Section 2806  
of the Public Utility Code. Docket No. R-00973954

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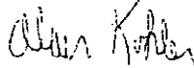
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KJR

Dear Paul:

Enclosed please find Enron's first set of interrogatories to Pennsylvania Power & Light Company in the above-captioned matter.

Very truly yours,



Alan Kohler

For WOLF, BLOCK, SCHORR and SOLIS-COHEN

ACK/cln

Enclosures

cc: James McNulty, Acting Prothonotary (Cert. of Service only)

Parties of Record

DOCUMENT  
FOLDER

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the foregoing documents upon the participants, listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

Irwin A. Popowsky, Esquire  
Office of Consumer Advocate  
1425 Strawberry Square  
Harrisburg, PA 17120

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Office of Small Business Advocate  
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Mr. Robert D. Knecht  
Industrial Economics Incorporated  
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Charles F. Hoffman, Esquire  
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David M. Kleppinger, Esquire  
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Harrisburg, PA 17108

Elizabeth R. Benson  
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000006

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**DOCKETED**  
MAY 22 1997

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Snyapse Energy Economics, Inc.  
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Cambridge, MA 02138

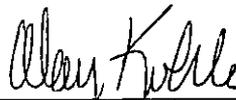
Jerry Mendle  
MSB Energy Associates  
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Middleton, WI 53562

Cheryl W. Davis, Dir.  
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Penna. Public Utility Commission  
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Lawrence Goldasky  
GPU Energy  
100 APC Building  
800 North Third Street  
Harrisburg, PA 17102



---

Alan Kohler

Dated: May 20, 1997

**ORIGINAL** 

PRESTON GATES ELLIS &  
ROUVELAS MEEDS LLP  
ATTORNEYS

May 20, 1997

**RECEIVED**

**VIA FEDERAL EXPRESS**

Mr. James McNulty, Prothonotary  
Pennsylvania Public Utility Commission  
North Office Building  
North Street and Commonwealth Avenue  
Harrisburg, PA 17105-3265

MAY 20 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

KJR

Re: Application of Pennsylvania Power & Light Company For Approval of Its  
Restructuring Plan Under Section 2806 of the Public Utility Code, Docket No. R-  
00973954; **Motion for Entry of Protective Order**

Dear Mr. McNulty:

Enclosed for filing in the above-captioned proceeding are an original and three  
(3) copies of the following:

- Motion for Entry of Protective Order of Pennsylvania Power & Light  
Company; and
- Motion to Shorten Time to Respond to Motion for Entry of Protective Order.

Upon receipt of this filing, please date and time-stamp the enclosed extra copy of  
this letter and return it to me in the envelope provided. If you have any questions  
regarding this filing, please call.

Respectfully submitted,



Lisa M. Helpert  
Counsel for Pennsylvania Power  
& Light Company

DOCUMENT  
FOLDER

Enclosures

cc: Administrative Law Judge George M. Kashi (via Federal Express  
w/ proposed protective order on computer diskette)  
Certificate of Service

47

ORIGINAL

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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MAY 20 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

Application of Pennsylvania Power & Light :  
Company For Approval of Its Restructuring : Docket No. R-00973954  
Plan Under Section 2806 of the Public Utility :  
Code :

**MOTION FOR ENTRY OF PROTECTIVE ORDER**

Pennsylvania Power & Light Company ("PP&L") hereby moves for entry, pursuant to 52 Pa. Code § 5.362, of the protective order attached hereto as Exhibit A, to preserve the confidentiality of certain trade secrets and other confidential commercially sensitive information in this proceeding and as grounds therefor states:

1. At the first pre-hearing conference on April 19, 1997, PP&L indicated its intention to move for the entry of a protective order in this proceeding. On April 28, 1997, PP&L circulated an initial draft of the proposed protective order to counsel for all active parties. PP&L received comments on that draft from a number of parties, and on May 9, 1997, circulated a second draft, which incorporated the parties' comments and which was based in part on a stipulated protective agreement between the Office of Consumer Advocate and PP&L in PP&L's most recent base rate case (PA PUC Docket No. R-00943271) and on a protective order issued in 1988 in the Bell Telephone case (PA PUC Complaint Docket No. C-881727). On May 16, 1997, after

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receiving comments on the second draft, PP&L circulated a third draft. Several of the parties met after the second pre-hearing conference on May 16 and negotiated a final draft, which is the proposed order attached as Exhibit A.

2. The following parties have indicated that they have no objection to the entry of the attached protective order: Office of Trial Staff; Office of Consumer Advocate; Office of Small Business Advocate; Allegheny Power; DuPont Power Marketing, Inc.; Enron Corporation; Environmentalists; Pennsylvania Power & Light Industrial Customer Alliance; and the United States Department of Defense and Other Affected Federal Executive Agencies.

3. In light of the fact that the entry of a protective order is necessary to permit outstanding and future discovery requests to go forward and to be completed on schedule, and that many of the active parties have no objection to the entry of the attached proposed protective order, PP&L is filing herewith a Motion to Shorten Time to allow this motion to be considered on an expedited basis.

WHEREFORE, PP&L respectfully requests that the motion be granted and the Protective Order entered in the form attached.

Respectfully submitted,

Paul E. Russell  
Associate General Counsel  
Pennsylvania Power & Light Company  
Two North Ninth Street  
Allentown, PA 18101  
(610) 774-4254

Donald A. Kaplan  
Lisa M. Helpert  
Preston Gates Ellis  
& Rouvelas Meeds LLP  
Suite 500  
1735 New York Avenue, NW  
Washington, DC 20006  
(202) 628-1700

By: 

Dated: May 20, 1997

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

---

Application of Pennsylvania Power & Light :  
Company For Approval of Its Restructuring : Docket No. R-00973954  
Plan Under Section 2806 of the Public Utility :  
Code :

**PROPOSED PROTECTIVE ORDER**

Pennsylvania Power & Light Company ("PP&L") has moved for the entry of a protective order restricting access to proprietary information to be filed or otherwise provided in connection with this proceeding. PP&L has submitted a proposed order along with its motion. Many of the active parties to this proceeding have reviewed the proposed order and do not object to it. This Protective Order is issued by authority of 52 Pa. Code § 5.362.

1. This Protective Order shall govern all proprietary information produced by or on behalf of any participant in response to discovery requests in this proceeding and designated by that participant as protected, and any other material within the definition of Paragraph 2 below. Consistent with 52 Pa. Code § 5.423(a), a participant may designate as Protected Material that which customarily is treated as confidential or proprietary, which is not available to the

public, and which the participant determines in good faith that, if disclosed freely, would subject that participant to risk of unfair economic or competitive damage. The foregoing standard is intended to govern what material may be nominated as subject to a possible claim for protected treatment. The Administrative Law Judge shall determine what standard applies in determining whether a document should remain protected, if any participant objects to a designation.

2. For purposes of this order:

(a) The term "Commission" means the Pennsylvania Public Utility Commission.

(b) For purposes of this proceeding, "competitor" or "affiliate of a competitor" as used in 52 Pa. Code § 5.423(5)(c) means an entity directly involved in the purchase, sale, brokering, or marketing of electric energy or capacity at retail or wholesale or the planning, construction or operation of generation facilities.

(c) The term "participant" means a participant as defined in 52 Pa. Code § 1.8.

(d) The term "producing party" means a participant that has designated material as Protected Material.

(e) The term "Protected Material" means (1) all correspondence, documents, data, information, studies, methodologies and other materials, furnished in this proceeding, which are believed by a producing party to be of a

proprietary or confidential nature and which are so designated by being stamped "Confidential"; (2) any copy or reproduction of such designated material; (3) any information contained in or obtained from such designated material; (4) any other material which is made subject to this Protective Order by the administrative law judge, by the Commission, by any court or other body having appropriate authority, or by agreement of the participants; and (5) memoranda, handwritten notes, or any other form of information which copies or discloses protected material. When a statement or exhibit is identified for the record, the portions thereof that constitute Protected Material shall be designated for the record.

(f) Protected Material shall not include (1) any information or document contained in the public files of the Commission, or any other state or federal agency, or any federal or state court, unless said information or document is subject to a protective order of such agency or court; or (2) information or documents which at the time of, or prior to, disclosure in these proceedings, is or was public knowledge, or which becomes public knowledge, except where such disclosure is in contravention of the provisions of this Protective Order; provided, however, that an inadvertent production of material shall not constitute an automatic waiver of any protected status under this Protective Order.

(g) Unless otherwise agreed by the producing party or ordered by the Administrative Law Judge, the term "reviewing representative" means

Commission trial staff and other Commission staff involved in this proceeding; those persons permitted access to proprietary information under 52 Pa. Code § 5.423(5)(c); and other persons employed by participants, involved in this proceeding, who are not directly involved in, or do not have direct or supervisory responsibilities with respect to, the purchase, sale, brokering or marketing of electric energy or capacity at retail or wholesale, or the planning, construction or operation of generation facilities.

3. Protected Material shall be made available to participants only through their reviewing representatives subject to the terms of this Protective Order. Reviewing representatives shall use the Protected Material only for purposes of preparing or presenting evidence, cross examination or argument in this proceeding. No reviewing representative shall permit any individual to inspect, participate in discussions regarding, or otherwise have access to Protected Material unless such individual has been designated a reviewing representative in accordance with the provisions of Paragraph 4.

4. Prior to making Protected Material available to any reviewing representative, counsel for the reviewing representative shall deliver a copy of this Protective Order to and shall receive a written acknowledgment from such representative in the form attached to this Protective Order and designated Appendix A. The producing party shall be notified of the identity of all persons

provided access to Protected Material pursuant to this paragraph prior to producing the Protected Material.

5. In the event that any reviewing representative ceases to qualify as a reviewing representative within the terms of this Protective Order, access to Protected Material by that person shall be terminated immediately. Even if no longer engaged in this proceeding, every person who has agreed to a nondisclosure certificate shall continue to be bound by the provisions of this Protective Order and the certificate.

6. The producing party shall designate Protected Material by stamping each page of Protected Material "Confidential" or otherwise physically marking such material. Protected Material that is not in written form shall be marked in a manner that provides comparable notice that such material is protected by this Protective Order. Where only part of data compilations or multi-page documents constitutes or contains Protected Material, the producing party, insofar as reasonably practicable within discovery and other time constraints imposed in this proceeding, shall designate only the specific data or pages of documents which constitute or contain Protected Material.

7. A producing party shall give written notice to all participants at least 48 hours prior to the scheduled time of a deposition noticed in this proceeding that the producing party intends to invoke the procedures set forth in this paragraph. Absent such notice, no information disclosed during a deposition, or

the deposition testimony and exhibits, shall be deemed to be Protected Material. If a producing party provides notice pursuant to this paragraph, all information disclosed during a deposition, and the deposition testimony and exhibits shall be deemed Protected Material for ten calendar days from the date of the deposition, unless the producing party giving notice under this paragraph agrees that the information disclosed during the deposition should not be so designated. At the expiration of such ten-calendar day period, the deposition testimony and exhibits shall no longer be considered to be Protected Material, except for those portions of the deposition testimony and/or exhibits designed by the producing party as Protected Material within the ten-day calendar period by marking such material as Protected Material and sending notice thereof to the other participants.

8. Any participant affiliated with the Commission or any other office, agency or department of the Commonwealth of Pennsylvania will consider and treat the Protected Material as within the exemptions from disclosure provided in the Pennsylvania Right-to-Know Act as set forth at 65 P.S. § 66.1(2) until such time as the Protected Material is no longer subject to this Protective Order. Any participant affiliated with the federal government shall treat Protected Material as within the exemptions from disclosure provided in the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, until such time as the information is no longer subject to this Protective Order. If any request seeking Protected Materials is received by any participant subject to this paragraph pursuant to either the

Pennsylvania Right-to-Know Act or FOIA, the participant receiving such request shall notify the producing participant immediately and give the producing participant not less than 14 calendar days to comment upon, object to, or seek a delay in the disclosure of such Protected Material in response to the request. A copy of such notice will be sent to the requester. In the event that a suit is filed against the Commission or a participant subject to this paragraph under the Pennsylvania Right-to-Know Act or FOIA seeking to compel disclosure of Protected Material, the Commission or that participant shall immediately notify the producing party of such suit.

9. Any public reference to Protected Material by a participant shall be to the title or exhibit reference in sufficient detail to permit persons with access to the Protected Material to understand fully the reference and not more. The Protected Material shall remain a part of the record, to the extent admitted, for all purposes of administrative or judicial review.

10. If a participant tenders for filing any written testimony, exhibit, brief or other submission that includes, incorporates, or otherwise discloses Protected Material, all portions thereof disclosing such material shall be:

- (a) Marked, "CONFIDENTIAL;"
- (b) Filed and served in sealed envelopes or other appropriate containers endorsed to the effect that they are sealed pursuant to this Protective Order;

(c) Exempt from 52 Pa. Code §§ 1.71—1.76, which provide for the public access to Commission documents, and treated as within the exemptions from disclosure provided in the Pennsylvania Right-to-Know Act, 65 P.S. Section 66.1(2), and FOIA until such time as the information is no longer subject to this Protective Order; and

(d) Served under seal only upon counsel for such participants with reviewing representatives designated in accordance with this Protective Order. Counsel for the producing party shall provide to all parties who request the same a list of those counsel for participants entitled to receive such material.

11. Any participant seeking to use Protected Material in any public hearing held in this proceeding shall give reasonable advance notice to the producing party, designating precisely the Protected Material it seeks to use. The producing party and all participants participating in the public hearing shall then attempt to agree upon procedures for the conduct of the hearing during the time that such designated Protected Material may be disclosed, subject to the approval of the Administrative Law Judge. If the producing party and the participants are unable to agree upon such procedures, the administrative law judge shall exclude from the hearing all individuals except for reviewing representatives designated in accordance with this Protective Order and shall seal the portion of the transcript disclosing the designated Protected Material.

12. That part of any record of this proceeding containing Protected Material, including but not limited to all exhibits, writings, written testimony, cross examination, argument, and responses to discovery, and including reference thereto as mentioned in ordering Paragraph 9 above, shall be sealed for all purposes, including administrative and judicial review, unless such Protected Material is released from the restrictions of this Protective Order, either through the agreement of the parties or pursuant to an order of the Administrative Law Judge or the Commission.

13. Any participant receiving Protected Material retains the right, either before or after receipt of the information, to challenge the designation of a document or information as Protected Material. If a challenge is made to the designation of a document or information as Protected Material, the producing party claiming that the document or information is Protected Material retains the burden of demonstrating that the designation is necessary and appropriate.

14. A participant shall retain the right to question or challenge the admissibility of Protected Material; to refuse or object to the production of Protected Material on any proper ground, including but not limited to irrelevance, immateriality or undue burden; and to seek additional measures of protection of Protected Material beyond those provided in this Protective Order.

15. Within 30 days after a Commission decision is entered in the above-captioned proceeding, or in the event of appeals, within 30 days after

appeals are finally decided, a participant, upon request, shall either destroy or return to a producing party all copies of all documents and other materials not entered into the record, including notes, whether written or oral, which contain any Protected Material. In the event that a participant or reviewing representative destroys all copies of documents and other materials containing Protected Material instead of returning the copies of documents and other materials containing Protected Material to the producing party, that participant or reviewing representative shall certify in writing to the producing party that the Protected Material has been destroyed.

16. In the event that the Administrative Law Judge at any time in the course of this proceeding finds that all or part of the Protected Material need not be protected, those materials nevertheless shall continue to be subject to the protection afforded by this Protective Order until seven calendar days after the date of the administrative law judge's decision and, if the party seeking protection files or seeks to file an interlocutory appeal of the administrative law judge's decision denying protection, the material shall continue to be subject to the protection afforded by this order until seven calendar days after any order denying such appeal. The party seeking protection shall promptly notify all participants of its intent to file or seek to file an interlocutory appeal of the administrative law judge's decision denying protection.

17. This Protective Order shall remain in effect (notwithstanding any order terminating this proceeding) until specifically modified or terminated by the administrative law judge or the Commission, for good cause shown or on their own motion.

It is so ordered.

\_\_\_\_\_  
George M. Kashi  
Administrative Law Judge

Dated: \_\_\_\_\_

**APPENDIX A**

Application of Pennsylvania Power & Light :  
Company For Approval of Its Restructuring : Docket No. R-00973954  
Plan Under Section 2806 of the Public Utility :  
Code :

**NONDISCLOSURE CERTIFICATE**

I have read and understand the Protective Order issued in the above-referenced proceeding, which deals with the treatment of Protected Material. I agree to be bound by, and comply with, the terms and conditions of said Protective Order. I understand that the contents of the Protected Material, any notes or other memoranda or any other form of information that copies or discloses Protected Material shall not be disclosed to anyone other than in accordance with the Protective Order and shall be used only for the purpose of preparing or presenting evidence, cross-examination or argument in the above-referenced proceeding. I understand and acknowledge that a violation of this certificate may constitute a violation of an order of the Pennsylvania Public Utility Commission.

By: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
NAME

\_\_\_\_\_  
TITLE

\_\_\_\_\_  
ADDRESS

\_\_\_\_\_  
PARTICIPANT REPRESENTED

\_\_\_\_\_  
DATE

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

---

Application of Pennsylvania Power & Light :  
Company For Approval of Its Restructuring : Docket No. R-00973954  
Plan Under Section 2806 of the Public Utility :  
Code :

---

**CERTIFICATION OF SERVICE**

---

I hereby certify that on May 21, 1997, I will serve a true copy of Pennsylvania Power & Light Company's Motion for Entry of Protective Order and Motion to Shorten Time to Respond to Motion for Protective Order upon the active participants listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

**By Facsimile:**

Johnnie Simms, Esq.  
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Pennsylvania Public Utility Commission  
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Harrisburg, PA 17105-3265

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David M. Kleppinger, Esq.  
Robert A. Weishaar, Jr., Esq.  
Pamela C. Polacek, Esq.  
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*for PPLICA*

Harry S. Geller, Esq.  
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*for PA Utility Law Project*

Daniel Clearfield, Esq.  
Alan Kohler, Esq.  
Robert J. Longwell, Esq.  
Wolf, Block, Schorr & Solis  
305 North Front Street  
Harrisburg, PA 17101  
*for Enron Corporation*

Michael J. Vough, Esquire  
Vough & Associates  
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Pittston, PA 18640  
*for Comm'n on Economic Opportunity*

Richard L. Caplan, Esq.  
Caplan & Luber, LLP  
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Paoli, PA 19301  
*for Schuylkill Energy Resources, Inc.*

Craig A. Doll, Esq.  
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*for Delmarva Power & Light Company*

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Rhonda Hendrickson  
100 North 10th Street  
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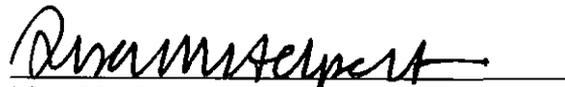
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Dated: May 20, 1997

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\_\_\_\_\_  
Lisa M. Helpert

ORIGINAL

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

---

Application of Pennsylvania Power & Light :  
Company For Approval of Its Restructuring :  
Plan Under Section 2806 of the Public Utility :  
Code :

Docket No. R-00973954

RECEIVED

MAY 20 1997

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**MOTION TO SHORTEN TIME TO RESPOND  
TO MOTION FOR ENTRY OF PROTECTIVE ORDER**

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PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

Pennsylvania Power & Light Company ("PP&L") hereby moves, pursuant to 52 Pa. Code § 5.103, to shorten the time period within which participants must answer and/or object to the Motion for Entry of Protective Order filed on this date by PP&L and as grounds therefor states:

1. PP&L has filed on this date a Motion for Entry of Protective Order to restrict access to proprietary information to be filed or otherwise provided in connection with this proceeding. PP&L submitted a proposed order along with its motion.

2. Under the Rules of Administrative Practice and Procedure of the Pennsylvania Public Utility Commission ("Commission"), a participant has ten (10) days from the date of service of a motion within which to answer or object to a motion, unless the period of time is otherwise fixed by the Commission or the presiding officer. 52 Pa. Code § 5.103(c).

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MAY 22 1997

3. In light of the fact that the entry of a protective order is necessary to permit outstanding and future discovery requests to go forward and to be completed on schedule, and that many of the active parties have no objection to the entry of the protective order proposed by PP&L, PP&L respectfully requests that the time within which parties must respond to the Motion for Entry of Protective Order be shortened to require parties to file responses by May 27, 1997.

WHEREFORE, PP&L respectfully requests that the motion be granted so that participants must file answers and/or objections to the Motion for Protective Order by May 27, 1997.

Respectfully submitted,

Paul E. Russell  
Associate General Counsel  
Pennsylvania Power & Light Company  
Two North Ninth Street  
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(610) 774-4254

Donald A. Kaplan  
Lisa M. Helpert  
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Washington, DC 20006  
(202) 628-1700

By: 

Dated: May 20, 1997

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

---

Application of Pennsylvania Power & Light :  
Company For Approval of Its Restructuring : Docket No. R-00973954  
Plan Under Section 2806 of the Public Utility :  
Code :

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**CERTIFICATION OF SERVICE**

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I hereby certify that on May 21, 1997, I will serve a true copy of Pennsylvania Power & Light Company's Motion for Entry of Protective Order and Motion to Shorten Time to Respond to Motion for Protective Order upon the active participants listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

**By Facsimile:**

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*for GPU Energy*

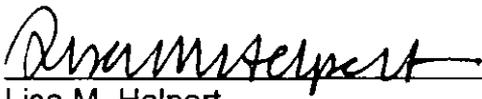
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John Munsch  
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Dated: May 20, 1997

  
\_\_\_\_\_  
Lisa M. Helpert



Pennsylvania Power & Light Company

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Two North Ninth Street • Allentown, PA 18101-1179 • 610/774-5151

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MAY 22 1997

Paul E. Russell  
Associate General Counsel  
610/774-4254

FAX: 610/774-6726

May 22, 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

VIA FEDERAL EXPRESS

James J. McNulty, Prothonotary  
Pennsylvania Public Utility Commission  
North Office Building  
New Filing Section, Room B-20  
Commonwealth Avenue & North Streets  
Harrisburg, PA 17120

Re: **Re: Restructuring Plan of Pennsylvania Power & Light Company,  
Docket No. R-00973954**

Dear Mr. McNulty:

Enclosed for filing in the above-referenced proceeding are an original and three copies of Pennsylvania Power & Light Company's Objections to the Environmentalists' Data Requests Sets Two and Three.

As shown on the express delivery receipt, this document was deposited with Federal Express on May 22, 1997, and is deemed to be filed on that date pursuant to 52 Pa. Code § 1.11. Also enclosed is an additional copy of this cover letter which we request that you date stamp as of May 22, 1997 and return to us in the enclosed postage-paid envelope.

As shown below and on the attached Certificate of Service, a copy of these documents has been served on Administrative Law Judge George M. Kashi and all parties of record.

Sincerely,

Paul E. Russell  
Counsel for Pennsylvania Power & Light Company

Enclosure

cc: Certificate of Service

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**ORIGINAL RECEIVED**

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MAY 22 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

RE: RESTRUCTURING PLAN OF :  
PENNSYLVANIA POWER & : Docket No. R-00973954  
LIGHT COMPANY :

---

OBJECTIONS OF  
PENNSYLVANIA POWER & LIGHT COMPANY  
TO DATA REQUESTS OF  
THE ENVIRONMENTALISTS -- SETS 2 AND 3

---

Pennsylvania Power & Light Company ("PP&L" or the "Company"), pursuant to 52 Pa. Code §5.342(a), hereby objects to certain of the Environmentalists' Data Requests -- Sets 2 and 3. In support thereof, PP&L avers as follows:

1. By letter dated May 15, 1997, the Environmentalists served their Set 2 Data Requests to the Company. The Data Requests include 42 requests, numbered 68 through 110, many of which include multiple subparts.

2. By letter dated May 19, 1997, the Environmentalists served their Set 3 Data Requests to the Company. The Data Requests include 79 requests, numbered 111 through 190, many of which include multiple subparts.

**DUCKETED**

MAY 27 1997

**DOCUMENT  
FOLDER**

SET 2 DATA REQUESTS

3. Data Request No. 69 states as follows:

Please identify and then provide each PJM-related document upon which Mr. Whitehead relied in developing the just-referenced testimony.

4. PP&L objects to Data Request No. 69 because it is overbroad and unduly burdensome. Specifically, PP&L objects to providing all PJM-related documents relied upon by Mr. Whitehead in developing his testimony. In his direct testimony, Mr. Whitehead generally describes PJM, its ongoing restructuring, and the impact that PJM's restructuring will have on the transition to retail competition. The PJM-related documents relied upon in developing this testimony are extremely voluminous and would be unduly burdensome to gather and produce.

5. Data Request No. 70 states as follows:

To what extent does Mr. Whitehead believe that it would be appropriate to have some public interest representation on that new, ISO independent board? If so, please describe. If not, please explain why not.

6. PP&L objects to Data Request No. 70 because it is irrelevant and not reasonably calculated to lead to the discovery of relevant evidence. The membership of the ISO independent board is not an issue in this proceeding. Moreover, the constitution and membership of the ISO independent board is not a matter within the jurisdiction of the Pennsylvania Public

Utility Commission ("Commission"). Data Request No. 70 is irrelevant, is not reasonably calculated to lead to the discovery of relevant evidence, and therefore should be stricken.

7. Data Request No. 71 states as follows:

To what extent is it PP&L's official position that it would be appropriate to have some public interest representation on that new, Independent ISO board? If so, please describe. If not, please explain why not.

8. PP&L objects to Data Request No. 71 for the reasons set forth in paragraph 6 above.

9. Data Request No. 80 states as follows:

(Ms. Lennon testimony, page 10, lines 2 through 6) With respect to the materials included in the curriculum that has been disseminated to over 6,100 teachers:

- a. Please identify and then provide the materials.
- b. Please identify and then provide the studies, analyses and/or reports upon which the Company decision to develop the materials relied. This should include the memo approving the expenditure of funds to develop the materials and/or contract therefore.
- c. Please identify and then provide the survey and/or focus group instruments upon which the materials are based, as well as the explanatory and/or instructional materials for the instruments.

10. PP&L objects to Data Request No. 80 because it is overly broad and unreasonably burdensome, would require an unreasonable investigation, and is not relevant. As

explained by Ms. Lennon, PP&L initiated its school energy education program in 1978. The various studies, analyses, reports and other documents relied upon by the Company in developing the program are over two decades old. These documents are not reasonably available and many may previously have been destroyed or discarded. An unreasonable investigation would be required to locate those documents, if any, that may still be in the Company's files. Moreover, the requested information is irrelevant. The school energy education program is not at issue in this case, nor is information related to such program reasonably calculated to lead to the discovery of relevant evidence.

11. Data Request No. 81 states as follows:

(Ms. Lennon testimony, page 10, lines 8 through 11) Please identify and then provide all of the materials used in the "Nuclear Energy Seminar for Teachers."

12. PP&L objects to Data Request No. 81 for the reasons stated in paragraph 10 above.

13. Data Request No. 82 states as follows:

(Ms. Lennon testimony, page 10, lines 8 through 11) Please identify and then provide all of the materials used in the program on "Teaching Environmental Awareness."

14. PP&L objects to Data Request No. 82 for the reasons stated in paragraph 10 above.

15. Data Request No. 83 states as follows:

(Ms. Lennon testimony, page 10, lines 11 through 14) Please identify and then provide all of the materials used in the PP&L 2000 program.

16. PP&L objects to Data Request No. 83 for the reasons stated in paragraph 10 above.

17. Data Request No. 110 states as follows:

Please provide the following items listed in Dr. Tierney's Resume (Exhibit SFT-1):

- a. (Page 5) Testimony on behalf of US Generating Company in Massachusetts Energy Facilities Siting Board, Docket 96-4, October 1996.
- b. (Page 5) Testimony on behalf of Intercontinental Energy Corporation before the New Jersey Board of Public Utilities, in EX94120585Y, August 1996.
- c. (Page 6) Testimony before the Subcommittee on Energy Production and Regulation, Committee on Energy and Natural Resources, U.S. Senate, June 6, 1995.
- d. (Page 6) Testimony before the Subcommittee on Energy and Power, Committee on Commerce, U.S. House of Representatives, May 19, 1995.
- e. (Page 6) Testimony before the Subcommittee on Energy and Power, Committee on Commerce, U.S. House of Representatives, March 21, 1995.
- f. (Page 6) Testimony before the Subcommittee on Energy and Power, Committee on Energy and Commerce, U.S. House of Representatives, July 13, 1994.

- g. (Page 6) Testimony before the Committee on Science, Space and Technology, U.S. House of Representatives, November 16, 1993.
- h. (Page 7) Testimony before the Massachusetts Department of Public Utilities, DPU 95-30, April 24, 1995.
- i. (Page 7) Testimony before the California Public Utilities Commission, R.94-04-031, June 8, 1994.
- j. (Page 9) Speech on "Renewing the Vision . . ." at Boston, Massachusetts, March 6, 1996.
- k. (Page 9) Speech on "Environmental Comparability . . ." in Washington, D.C., December 4, 1995.
- l. (Page 9) Keynote address on "Electric Industry Restructuring . . ." in Gatlinburg, Tennessee, September 11, 1995.
- m. (Page 10) Keynote address: "What are the Environmental Stakes . . ." in Reno, Nevada, October 20, 1994.
- n. (Page 19) "Siting Needs: Issues and Options," U.S. DOE, June 1993.
- o. (Page 19) "The Nuclear Waste Controversy" 1984 (Second edition).
- p. (Page 19) "DATAWARS: Computer Models in the Federal Government," 1987.
- q. (Page 19) "The Evolution of the Nuclear Debate," 1978.

18. PP&L objects to Data Request No. 110 because it is overly broad, unreasonably burdensome, and would require an unreasonable investigation. However, PP&L will provide the requested information to the extent that such information is readily available in Dr. Tierney's files and/or the files of The Economics Resource Group, Inc.

SET 3 DATA REQUESTS

19. Data Request No. 113 states as follows:

Provide the contract for each consultant witness the Company intends to present.

20. PP&L objects to Data Request No. 113 because it seeks information that is protected by the attorney-client and/or work product privileges, is irrelevant, and is not reasonably calculated to lead to the discovery of relevant evidence. PP&L is not claiming any costs related to the compensation of its consultant witnesses in this proceeding. The information sought by Data Request No. 113 is not at issue and is completely irrelevant. This request therefore should be stricken.

21. Data Request No. 114 states as follows:

For each witness, please state:

- a. The date the witness and/or the witness' office (or technical team) began preparing for the submission of his/her testimony in the instant case.
- b. The number of hours spent by all professionals on the witness' behalf, including the witness, in the preparation of the submitted testimony, including the preparatory work.
- c. For non-PP&L employees, the witness' hourly billing rate for this case.

22. PP&L objects to Data Request No. 114 for the reasons set forth in paragraph 20 above.

23. Data Request No. 117 states as follows:

Please identify and then provide each analysis conducted by or for the Company of the initial decision to construct Susquehanna.

24. PP&L objects to Data Request No. 117 because it is unduly burdensome and irrelevant, and would require an unreasonable investigation. Construction of the Susquehanna generating plant began in the 1970's and was completed in the 1980's. Extensive planning and analysis activities related to Susquehanna began much earlier. Because of the volume and age of documents related to the initial decision to construct Susquehanna, Data Request No. 117 would require an unreasonable investigation and would be unduly burdensome to answer. This request, therefore, should be stricken or substantially limited.

25. Data Request No. 126 states as follows:

Please provide the following items listed in Dr. Kalt's Resume:

- A. (Page 8) "Cases in Microeconomics," 1990.
- B. (Page 10) "The Impacts of Domestic Environmental Regulatory Policy . . .," 1988.
- C. (Page 10) "Re-Establishing the Regulatory Bargain in the Electric Utility Industry," March 1987.
- D. (Page 11) "Market Power and the Possibilities for Competition," 1987.
- E. (Page 11) "The Political Economy of Coal Regulation," 1989.
- F. (Page 11) "Regional Effects of Energy Price Decontrol. . .," 1988.
- G. (Page 11) "A Framework for Diagnosing the Regional Impacts of Energy Price Policies," March 1986.

- H. (Page 11) "The Ideological Behavior of Legislators. . .," revised November, 1984.
- I. (Page 11) "A Comment on The Congressional Bureaucratic System. . .," 1984.
- J. (Page 11) "The Creation, Growth, and Entrenchment of Special Interests Oil Price Policy," 1983.
- K. (Page 11) "The Costs and Benefits of Federal Regulation of Coal Strip Mining," October 1983.
- L. (Page 12) "Public Goods and the Theory of Government," 1981.
- M. (Page 12) "Politics Versus Policy in the Restructuring Debate," June 1995.
- N. (Page 12) "An Economic Analysis of Electric Industry Restructuring in New England," April 1995.
- O. (Page 12) "Incentives and I exes. . .," March 10, 1993.
- P. (Page 13) "A Review of the Adequacy of Electric Power Generating Capacity in the United States. . .," June 1986.
- Q. (Page 13) "Market Structure, Vertical Integration, and Long-Term Contract. . .," April 1985.
- R. (Page 14) "Problems of Minority Fuel Oil Dealers," April 1981.
- S. (Page 14) "Administration Backsliding on Energy Policy," February 1982.
- T. (Page 14) "The Energy Crisis. . .," January/February 1980.
- U. (Page 15) "Lessons from the U.S. Experience with Energy Price Deregulation," June 1985.
- V. (Page 16) "The Role of Government and the Market place in the Production and Distribution of Energy," March 1981.

26. PP&L objects to Data Request No. 126 for the reasons stated in paragraph

18 above. However, PP&L will provide the requested information to the extent that it is readily available in Dr. Kalt's files.

27. Data Request No. 130 states as follows:

Please identify, and then provide, each nuclear power plant-related study(s) which the Company's nuclear decommissioning consultant, and/or its firm, have provided to the Company with respect to units in which the Company has an ownership interest.

28. PP&L objects to Data Request No. 130 because it is unduly burdensome and irrelevant and would require an unreasonable investigation. The information requested by Data Request No. 130 is extremely voluminous and would be unreasonably burdensome to produce. Moreover, this request includes all nuclear power plant-related "studies." It is not limited to studies regarding a particular subject area, e.g., decommissioning costs, nor is it restricted to particular nuclear power plants or time periods.

29. Data Request No. 135 states as follows:

Will the Company agree to the authenticity of its consultant-authored documents relating to nuclear decommissioning entered into evidence in the Company's most recent rate case?

30. PP&L objects to Data Request No. 135 because it is a legal matter not properly within the scope of 52 Pa. Code §5.321. The matters raised by this request appropriately should be addressed through a request for admission or a stipulation entered into by the parties.

31. Data Request No. 136 states as follows:

Will the Company agree to the admissibility of company-authored documents entered into evidence in the Company's most recent rate case? What conditions would it require to stipulate them into evidence? To what extent would it require inclusion of related direct and cross?

32. PP&L objects to Data Request No. 136 for the reasons stated in paragraph 30 above.

33. Data Request No. 137 states as follows:

To what extent have any of the owners of Susquehanna collected funds for decommissioning that were not placed into an external trust fund (e.g., that were "collected" prior to the external funding requirement and not subsequently "moved" into an external fund)? If so, please identify the companies and the amounts.

34. PP&L objects to Data Request No. 137 because it is overly broad and seeks information that is irrelevant and not reasonably calculated to lead to the discovery of relevant evidence. Specifically, this request seeks information regarding the collection of nuclear decommissioning costs by all owners of Susquehanna. Information regarding the collection of such funds by entities other than PP&L is completely irrelevant to this proceeding, and is not within the possession of PP&L. Data Request No. 137 is improper and should be stricken.

35. Data Request No. 158 states as follows:

To what extent is the Company aware of the Nuclear Regulatory Commission's consideration of electric utility deregulation as it

relates to nuclear plant operation and funding of decommissioning?  
Please identify and provide each Company writing that addresses  
this issue.

36. PP&L objects to Data Request No. 158 because it seeks information  
protected by the attorney-client privilege.

37. Data Request No. 160 states as follows:

Please explain the Company's official position on the following  
"decommissioning mismatch" scenario: The CTC that the  
Commission sets procedures retail rates that fully recover all the  
Company's projected nuclear decommissioning costs. The  
Company subsequently sells power from its nuclear facilities on  
the wholesale market or through private contracts, at competitive  
rates that do NOT recover decommissioning costs.

- a. Is such a scenario possible? Why or why not?
- b. Is such a scenario likely? Why or why not?
- c. Would retail customers be subsidizing a lower competitive  
price for the Company's nuclear power? Why or why not?
- d. What mechanisms could be used to eliminate the  
subsidization?
- e. Would the Company agree to a mechanism that would  
eliminate the subsidization? Why or why not?

38. PP&L objects to Data Request No. 160 because it is purely speculative  
and is not properly within the scope of discovery. This request inappropriately calls for PP&L to  
speculate regarding the likelihood of and potential effects resulting from a purely hypothetical  
scenario. Such requests for speculation are inappropriate and should be stricken.

39. Data Request No. 161 states as follows:

Presuming approval of the Company's stranded cost recovery request, in whole or in part, regarding the nuclear investment, and with respect to the allocation of the Company's nuclear-generated energy:

- a. Please describe the Company's official policy regarding the allocation of the nuclear-based energy to the wholesale versus the retail market. Provide the document(s) embodying the policy.
- b. Please explain how, and in what markets, the Company has contemplated that its nuclear units should compete -- e.g., wholesale marketplace, retail marketplace, or dedication to specific customers, or something else. Please identify and then provide the documents addressing this issue.

40. PP&L objects to subpart b of Data Request No. 161 because it requests confidential and proprietary information regarding the Company's Generation Supply Group marketing plan. Disclosure of such information would place PP&L at a competitive disadvantage following the transition to retail competition. Importantly, a protective order or confidentiality agreement would fail to address this concern because the requested information will be provided to competitors who are participating in this proceeding. Once this information is disclosed to these parties, a protective order or confidentiality agreement restricting further disclosure will serve little purpose.

## GENERAL INSTRUCTIONS

41. General Instruction B states as follows:

Under oath. Please provide the answers to these requests separately and under oath. Each response should be signed by the person, other than the attorney, making the response. When a person providing a response is not contemplated as a witness in this case, please identify the person at the Company who can competently testify to the matters contained in the response.

42. PP&L objects to General Instruction B to the extent that it requires all answers to be provided under oath. The Commission's regulations state, in relevant part, that "[a]n answer to an interrogatory shall be in writing and the answer shall identify the name and position of the person who provided the answer." 52 Pa. Code §5.342(a). The Commission's rules plainly do not require interrogatory answers to be provided under oath. Similarly, well-established discovery practice before the Commission does not require such answers to be provided under oath. General Instruction B is inconsistent with the Commission's regulations and with long-standing Commission practice. This instruction therefore should be stricken.

43. General Instruction D states as follows:

Continuing requests. These are continuing requests. When information responsive to them becomes available, please provide it, even though an earlier response has been given. Please supplement these requests when information become available and/or known which has not been provided in your prior responses.

44. PP&L objects to General Instruction D because it is unduly burdensome and would require an unreasonable investigation. To date, PP&L has received over 500 interrogatories and data requests. The Company anticipates that it will continue to receive voluminous requests for information and documents as discovery in this proceeding continues. It is simply impossible for PP&L to monitor all prior interrogatory and data requests on a continuous basis to determine whether additional responsive information has become available. If PP&L becomes aware of such information, the Company will provide it. However, PP&L does not have adequate personnel to treat all discovery requests as continuing requests and respond to the constant flow of interrogatories and data requests. Generally Instruction D is unduly burdensome and should be stricken.

45. General Instruction G states as follows:

Identify responses. Please indicate the preparer of each response, his or her department, and job title, and the witness who could competently answer cross examination questions thereon.

46. PP&L objects to General Instruction G because it is inconsistent with long-standing practice before the Commission. It is common practice before the Commission to provide the name of the responsible witness(es) on each interrogatory response.

THEREFORE, for the reasons stated above, PP&L respectfully requests that the Commission grant the Company's objections to the Data Requests of the Environmentalists, Sets 2 and 3.

Respectfully submitted,



Paul E. Russell  
Pennsylvania Power & Light Company  
Two North Ninth Street  
Allentown, PA 18101

Counsel For Pennsylvania Power & Light Company

Date: May 22, 1997



BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

---

Pennsylvania Power & Light Company :  
Restructuring Plan Filing : Docket No. R-00973954

---

**CERTIFICATION OF SERVICE**

---

I hereby certify that I have this day served a true copy of Pennsylvania Power & Light Company's Objections to the Environmentalists' Data Requests Sets Two and Three upon the active participants listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

**FEDERAL EXPRESS**

The Honorable George M. Kashi  
Administrative Law Judge  
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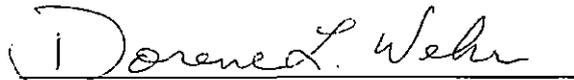
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Dated this 22nd day of May, 1997.

  
Dorene L. Wehr

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May 23, 1997

Paul E. Russell, Esq.  
Associate General Counsel  
Pennsylvania Power & Light Company  
Two North Ninth Street  
Allentown, PA 18101

RECEIVED  
97 MAY 27 AM 10:19  
F.A.P.U.C.  
PROTHONOTARY'S OFFICE  
VIA FEDERAL EXPRESS

**Re: Pennsylvania Public Utility Commission v. Pennsylvania Power & Light Company  
- Application of Pennsylvania Power & Light Company for Approval of its  
Restructuring Plan under Section 2806 of the Public Utility Code;  
Docket No. R-00973954**

Dear Mr. Russell:

Please find enclosed two (2) copies of the PP&L Industrial Customer Alliance Interrogatories, Set V, to Pennsylvania Power & Light Company in the above-referenced proceeding. In addition, a 3.5 inch diskette containing the interrogatories in Word Perfect 5.1 is enclosed.

Responses to these interrogatories are due within ten (10) days of service. Please endeavor to forward responses in an organized manner as they are completed; it is not necessary to await completion of all responses prior to forwarding those completed more quickly. Please send one (1) copy of your responses and all attachments to the undersigned. In addition, please provide one (1) copy of your responses and all attachments to:

DOCUMENT  
FOLDER

Paul E. Russell, Esq.  
April 24, 1997  
Page 2

Stephen J. Baron  
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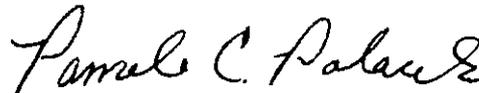
Please communicate any objections or questions that you may have to these interrogatories as quickly as possible.

Copies of these interrogatories are being served on all parties consistent with the attached Certificate of Service.

Thank you for your attention to this matter.

Very truly yours,

McNEES, WALLACE & NURICK



By

Pamela C. Polacek

Counsel to the PP&L Industrial Customer Alliance

PCP/

Enclosures

c: Certificate of Service  
Mr. Stephen J. Baron  
James J. McNulty, Prothonotary (transmittal letter and Certificate of Service only)

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a true copy of the foregoing Interrogatories of PP&L Industrial Customer Alliance Directed to Pennsylvania Power & Light Company, Set V upon the participants listed below in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

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EXHIBITED

MAY 28 1997

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**CERTIFICATE OF SERVICE**

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**CERTIFICATE OF SERVICE**

**Page 3**

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Pamela C. Polacek, Esq.

Counsel to PP&L Industrial Customer Alliance

Dated this 23rd day of May, 1997, at Harrisburg, Pennsylvania.

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May 23, 1997

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1997

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KJR

Mr. James J. McNulty  
Deputy Prothonotary  
Office of Prothonotary - Room B-20  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Re: Pennsylvania Power & Light Co. - Application for Approval of  
Restructuring Plan - Docket No. R-00973954

Dear Mr. McNulty:

Enclosed please find an original and nine (9) copies of the "Petition to Intervene" filed on behalf of the Pennsylvania Petroleum Association in the above-captioned matter.

A copy of this filing has been served upon all active parties.

Please date stamp our "file copy" and return in the enclosed self-addressed envelope.

RECEIVED  
PROTHONOTARY'S OFFICE  
97 MAY 27 AM 10:00

Very truly yours,

Usher Fogel

UF/mac  
Enclosures

cc: Active Parties to Docket No. R-00973954 (by first class mail)  
Hon. George M. Kashi, Administrative Law Judge (by first class mail)  
John Zinkand (by first class mail)

16

Commonwealth of Pennsylvania

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA POWER & LIGHT CO.

Docket No. R-00973954

Application for Approval of Restructuring Plan

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PETITION TO INTERVENE OF THE PENNSYLVANIA PETROLEUM ASSOCIATION

Pursuant to the Rules and Practice of Procedure of the Pennsylvania Public Utility Commission (Commission), 52 Pa. Code §5.71, et. seq., the Pennsylvania Petroleum Association (PPA), through its attorneys, hereby petitions to intervene as a party in the captioned docket. In support thereof, PPA respectfully shows as follows:

- 1. The names and addresses of the individuals to whom notices, pleadings and other communications in this docket should be directed are as follows:

Usher Fogel
Roland, Fogel, Koblenz & Carr, LLP
1 Columbia Place
Albany, New York 12207
TEL: (518) 434-8112
FAX: (518) 434-3232

John P. Zinkand
Executive Vice President
Pennsylvania Petroleum Association
Suite 121, Building 2
2001 N. Front Street
Harrisburg, PA 17102
TEL: (717) 233-5838
FAX: (717) 233-4578

- 2. PPA is a statewide trade association representing independent energy

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marketers located throughout the Commonwealth and in the service territory of the Pennsylvania Power & Light Co. (PP&L or Company). The members of PPA are engaged in the distribution, marketing and sale on an independent basis of petroleum, natural gas, propane and related equipment which use these energy sources, and intend to actively participate in the independent sale of electricity and related services once retail access is authorized within the service territory of PP&L and other public utilities in the Commonwealth of Pennsylvania. The members of PPA represent an important segment of the economic infrastructure of the Commonwealth and have actively participated and intervened in energy related proceedings affecting the provision of energy products and services.

3. PPA and its members have a significant interest in maintaining a vibrant, healthy and effective competitive market for the provision of all energy products and services. The introduction of competition accompanied by an even playing field between all energy producers, marketers and businesses will ensure that consumers are provided with an array of competitive choices, and that the need of consumers and businesses for electric power will be met in the most economically efficient manner.

4. On or about April 1, 1997, an Application for Approval of Restructuring Plan was submitted on behalf of the Company seeking approval of the Company's proposal to restructure its corporate organization, separate its generation, transmission and distribution functions, unbundle electric rates, and implement retail access for electric consumers. The restructuring plan, if approved, will affect how, in

what manner and at what cost electric utility service is provided to residential, commercial and industrial customers, thereby undergirding the utility's competitive standing as well as the ability of independent marketers, such as the members of PPA to compete on effective and equitable terms. Hence, the plan will affect the emerging competitive market with respect to the distribution of electricity and will thus directly impact upon the interests of the members of PPA.

5. Additionally, when operating their businesses, the members of PPA rely significantly upon electricity, which is currently provided by the Company. As the proposed restructuring will substantially impact upon the cost and the manner by which such electric service is provided, the economic viability of the businesses of our members is directly impacted by the ultimate outcome of this proceeding.

6. The movant's interest as a consumer, customer and competitor will be directly affected by the outcome of this proceeding, and petitioner will be bound by the action of the Commission in this proceeding.

7. PPA clearly has an interest which may be substantially and directly affected by the Commission's action in this proceeding. In order to protect such interest, PPA requests permission to participate fully as a party in all aspects of this proceeding. Due to its unique interests and concerns, no other party can adequately represent the interests of PPA and its members.

8. The outcome of this proceeding will fundamentally alter the electric distribution market in the Commonwealth, allowing for the transition from a regulated

monopoly structure to a competitive environment. In this transitional process, it is imperative that independent marketers and users of electricity be allowed to participate in regulatory proceedings which will determine the contours and structure of the new competitive environment. PPA will be instrumental in determining the success of and be impacted by the move to a competitive environment. Consequently, the participation by PPA in this proceeding will be in the public interest.

9. The undersigned counsel, also moves that he be permitted to appear in this proceeding, pro hac vice, on behalf of PPA. Mr. Fogel has been a member in good standing of the bar of the State of New York since 1977, and there are, to his knowledge, no disciplinary proceedings pending against him in any jurisdiction. He has advised PPA concerning the issues raised in the instant application and has special knowledge and expertise regarding such matters.

**WHEREFORE**, the Pennsylvania Petroleum Association requests that the Commission grant its petition to intervene as a party in this proceeding, and grant the motion to appear pro hac vice.

Respectfully submitted,

**Pennsylvania Petroleum Association**

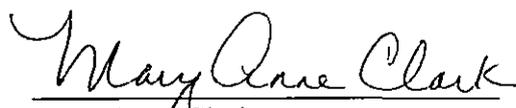
By: Usher Fogel  
Usher Fogel, Esq.  
Roland, Fogel, Koblenz & Carr, LLP  
1 Columbia Place  
Albany, New York 12207  
(518) 434-8112

Dated: May 23, 1997  
Albany, New York

Certificate of Service

I, Mary Anne Clark, do hereby certify that I have this day served the foregoing document upon each person designed on the official service list compiled in this proceeding.

Dated at Albany, New York, this 23rd day of May, 1997.

  
Mary Anne Clark  
Mary Anne Clark

*Roland, Fogel, Koblenz & Carr, LLP  
1 Columbia Place  
Albany, New York 12207  
(518) 434-8112*

**Lucent Technologies**  
Bell Labs Innovations



555 Union Blvd.  
Allentown, PA 18103

001251

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May 23, 1997

KJR

James J. McNulty, Prothonotary  
Pennsylvania Public Utility Commission  
Room B-20, North Office Building  
P.O. Box 3265  
Harrisburg, Pa 17105

R 00973954

Dear Mr. McNulty:

Enclosed for filing with the Commission are comments from Lucent Technologies with respect to Commission's May 9, 1997 Preliminary Opinion and Order setting forth its tentative decisions concerning PP&L's proposed pilot program filed by PP&L on February 27, 1997, in conformance with Section 2806(g) of the Electric Generation Competition and Customer Choice Act, 66 Pa. C.S. § 2801 et. seq. (the "Competition Act") and pursuant to the Pennsylvania Public Utility Commission's (the "Commission") January 16, 1997 Order at docket number M-00960890 regarding retail access pilot programs.

Very truly yours,

George F. DeNardo  
ICD Worldwide Facilities

Blind Copy (w attach.) to:  
C. Onori  
C. Kastner  
G. Koch

DOCUMENT  
FOLDER

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

001252

97 MAY 29 AM 10:58

Pennsylvania Power & Light  
Company Restructuring Plan Filing

Docket No. <sup>R-</sup>00973954

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COMMENTS OF LUCENT TECHNOLOGIES

---

Lucent Technologies ("Lucent") hereby submits these comments to the Commission's May 9, 1997 Preliminary Opinion and Order setting forth its tentative decisions concerning PP&L's proposed pilot program filed by PP&L on February 27, 1997, in conformance with Section 2806(g) of the Electric Generation Competition and Customer Choice Act, 66 Pa. C.S. § 2801 et. seq. (the "Competition Act") and pursuant to the Pennsylvania Public Utility Commission's (the "Commission") January 16, 1997 Order at docket number M-00960890 regarding retail access pilot programs.

Lucent is a large telecommunications equipment manufacturing and technology company which, at several locations throughout PP&L's service territory, purchases large quantities of electric energy from PP&L. While PP&L's originally filed pilot program rules and prices would have been so restrictive that Lucent probably would not have elected to attempt to participate, the changes made by the Commission in its February 7, 1997 Order take significant steps toward the creation of a viable pilot program that will give participants the opportunity to achieve energy savings and important experience with direct access. Lucent, therefore, urges the Commission to adopt in its final order the basic structure for the PP&L pilot that the Commission

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has preliminarily proposed, with the following addition.

The Preliminary Order directs the removal of various participation restrictions that had been proposed by PP&L and proposes that customers on all rates and on all customer classes may participate. For large customers pilot load is capped at "10% of the [noncoincident] peak load available to the pilot for that class." Order at 12. While the justification for this restriction is understood, the Commission should consider expanding pilot involvement **beyond** the 5% level to include additional load associated with customers already participating in the pilot or load associated with additional customers in order to accommodate circumstances where pilot inclusion would promote **economic development**. The additional load could be added by application to the Commission upon a showing that inclusion would enhance the potential of achieving economic development benefits such as additional hires, additional shifts or added investment (over a base year). Endorsing such a procedure would not only allow the benefits of competition to come to more customers sooner and provide clear economic benefits to the Commonwealth, it is specifically endorsed in the Competition Act's provision authorizing the Commission to waive the "5%" limitation "for economic development purposes or special circumstances." 66 Pa. C.S. § 2806(g)(4).

To comply with the General Assembly's directive in this regard, the Commission should establish a specific "streamlined" filing and approval procedure that would allow applicants to file for and obtain a waiver from the Commission for inclusion in the pilots on an economic development basis, upon a good faith showing by an applicant that its inclusion in PP&L's pilot will produce economic development benefits. Because the pilot program itself will span a relatively short period, the Commission review period should be expedited -- 30 to 45 days at

most. The waiver process could be used to include additional load of up to an additional 5% of the noncoincident peak of the rate class of the customer applying for the waiver. Adoption of this process now will assure that economic development benefits from retail access will not have to be delayed or lost as the transition to full competition goes forward.

WHEREFORE, for the foregoing reasons Lucent Technologies respectfully requests this Honorable Commission to incorporate into PP&L's pilot program, as modified by the PUC's May 9, 1997 order, a streamlined and expedited "economic development" waiver procedure that would permit companies like Lucent to obtain a waiver of the 5% limitation and be included in the pilot upon a showing that such inclusion would produce economic development benefits to the Commonwealth so that additional load -- up to an additional 5% of the class's noncoincident peak.

Respectfully submitted,

Lucent Technologies

BY:   
George F. DeNardo  
555 Union Blvd.  
Allentown, Pa. 18103  
(610) 712-5138  
(610) 712-4598

Dated: May 23, 1997

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(717) 237-7172

May 27, 1997

000965

KJR

Paul E. Russell, Esquire  
Pennsylvania Power & Light Company  
2 North 9th Street  
Allentown, PA 18101

RE: Application of Pennsylvania Power & Light Company  
for Approval of its Restructuring Plan Under Section 2806  
of the Public Utility Code. Docket No. R-00973954

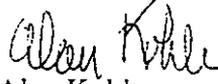
PROTHONOTARY'S OFFICE  
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97 MAY 28 AM 10:53

Dear Paul:

Enclosed please find Enron's second set of interrogatories to Pennsylvania Power & Light Company in the above-captioned matter.

Very truly yours,

  
Alan Kohler

For WOLF, BLOCK, SCHORR and SOLIS-COHEN

ACK/cjn  
Enclosures  
cc: James McNulty, Acting Prothonotary (Cert. of Service only)  
Parties of Record

DOCUMENT  
FOLDER

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the foregoing documents upon the participants, listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

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000966

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MAY 30 1997

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Lawrence Goldasky  
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100 APC Building  
800 North Third Street  
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---

Alan Kohler

Dated: May 27, 1997



**Pennsylvania Power & Light Company**

Two North Ninth Street • Allentown, PA 18101-1179 • 610/774-5151

Paul E. Russell  
Associate General Counsel  
610/774-4254

FAX: 610/774-6726

May 29, 1997

RECEIVED

MAY 29 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

**VIA FEDERAL EXPRESS**

James J. McNulty, Esquire  
Prothonotary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, Pennsylvania 17105-3265

DOCUMENT  
FOLDER

**Re: Pennsylvania Power & Light Company  
Restructuring Plan  
Docket No. R-00973954**

KJR

Dear Mr. McNulty:

Attached for filing, pursuant to the Commission's regulations, 52 Pa. Code § 5.342(d), is a Certificate of Service identifying answers to interrogatories that Pennsylvania Power & Light Company served today on the active participants in this proceeding.

If you have any questions regarding this letter, please call.

Very truly yours,

*Paul E. Russell/dlw*

Paul E. Russell

Attachment

RECEIVED

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MAY 29 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

Pennsylvania Power & Light Company :  
Restructuring Plan Filing : Docket No. R-00973954

DOCKETED

JUN 02 1997

CERTIFICATION OF SERVICE

DOCUMENT  
FOLDER

I hereby certify that I have this day served a true copy of Pennsylvania Power & Light Company's answers to the Environmentalists' Interrogatories, Set 1, Questions 15-16, 18-20, 22-25, and 27-29 and Set 2, Questions 68, 72-79, 84-85, 92 and 105-109 upon the active participants listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

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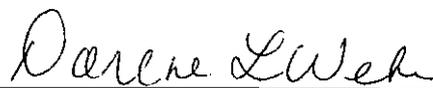
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Paul E. Nordstrom  
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901 15th Street, N.W., Suite 700  
Washington, DC 20005

Dated this 29th day of May, 1997.



---

Dorene L. Wehr



**Pennsylvania Power & Light Company**

Two North Ninth Street • Allentown, PA 18101-1179 • 610/774-5151

Paul E. Russell  
Associate General Counsel  
610/774-4254

FAX: 610/774-6726

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MAY 29 1997

May 29, 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

**VIA FEDERAL EXPRESS**

James J. McNulty, Esquire  
Prothonotary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, Pennsylvania 17105-3265

DOCUMENT  
FOLDER

**Re: Pennsylvania Power & Light Company  
Restructuring Plan  
Docket No. R-00973954**

---

Dear Mr. McNulty:

KJR

Attached for filing, pursuant to the Commission's regulations, 52 Pa. Code § 5.342(d), is a Certificate of Service identifying answers to interrogatories that Pennsylvania Power & Light Company served today on the active participants in this proceeding.

If you have any questions regarding this letter, please call.

Very truly yours,

*Paul E. Russell/dlw*

Paul E. Russell

Attachment

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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MAY 29 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

\_\_\_\_\_  
Pennsylvania Power & Light Company :  
Restructuring Plan Filing : Docket No. R-00973954

\_\_\_\_\_  
**CERTIFICATION OF SERVICE**  
\_\_\_\_\_

I hereby certify that I have this day served a true copy of Pennsylvania Power & Light Company's answers to the PP&L Industrial Customer Alliance Interrogatories, Set IV, Questions 1 and 2 upon the active participants listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

**DOCKETED**

JUN 02 1997

**Federal Express**

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**DOCUMENT  
FOLDER**

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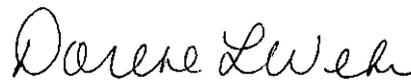
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Dated this 29th day of May, 1997.



---

Dorene L. Wehr

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SCOTT A. GOULD  
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JAMES W. KUTZ  
LOUISE HUTCHINSON MARA  
F. STEPHENSON MATTHES  
JON R. MOONEY  
SHARON R. PAXTON  
CHAD F. PHIPPS  
PAMELA C. POLACEK  
JONATHAN H. RUDD  
BRUCE R. SPICER  
CAROL A. STEINOUR  
SUSAN V. STEWART  
ROBERT F. TEPLITZ  
ROBERT A. WEISHAAR, JR.  
DERRICK P. WILLIAMSON  
JOHN A. WITHEROW, JR.  
KATHLEEN A. WOLOWSKI  
SAMUEL S. YUN

Writer's Direct Dial:  
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E-Mail: [ppolacek@mwn.com](mailto:ppolacek@mwn.com)

May 29, 1997

KJR

RECEIVED  
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VIA FEDERAL EXPRESS

Paul E. Russell, Esq.  
Associate General Counsel  
Pennsylvania Power & Light Company  
Two North Ninth Street  
Allentown, PA 18101

**Re: Pennsylvania Public Utility Commission v. Pennsylvania Power & Light Company  
- Application of Pennsylvania Power & Light Company for Approval of its  
Restructuring Plan under Section 2806 of the Public Utility Code;  
Docket No. R-00973954**

Dear Mr. Russell:

Please find enclosed two (2) copies of the PP&L Industrial Customer Alliance Interrogatories, Set VI, to Pennsylvania Power & Light Company in the above-referenced proceeding. In addition, a 3.5 inch diskette containing the interrogatories in Word Perfect 5.1 is enclosed.

Responses to these interrogatories are due within ten (10) days of service. Please endeavor to forward responses in an organized manner as they are completed; it is not necessary to await completion of all responses prior to forwarding those completed more quickly. Please send one (1) copy of your responses and all attachments to the undersigned. In addition, please provide one (1) copy of your responses and all attachments to:

DOCUMENT  
FOLDER

Paul E. Russell, Esq.  
May 29, 1997  
Page 2

Stephen J. Baron  
J. Kennedy and Associates, Inc.  
35 Glenlake Parkway, Suite 475  
Atlanta, GA 30328

Please communicate any objections or questions that you may have to these interrogatories as quickly as possible.

Copies of these interrogatories are being served on all parties consistent with the attached Certificate of Service.

Thank you for your attention to this matter.

Very truly yours,

McNEES, WALLACE & NURICK

By   
Pamela C. Polacek

Counsel to the PP&L Industrial Customer Alliance

PCP/

Enclosures

c: Certificate of Service  
Mr. Stephen J. Baron  
James J. McNulty, Prothonotary (transmittal letter and Certificate of Service only)

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a true copy of the foregoing Interrogatories of PP&L Industrial Customer Alliance Directed to Pennsylvania Power & Light Company, Set VI upon the participants listed below in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA FIRST CLASS MAIL

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**Page 2**

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901 15th Street, NW  
Washington, DC 20005-2301



Pamela C. Polacek, Esq.

Counsel to PP&L Industrial Customer Alliance

Dated this 29th day of May, 1997, at Harrisburg, Pennsylvania.

RECEIVED  
97 MAY 29 PM 3:45  
P.A.P.U.C.  
PROTHONOTARY'S OFFICE



## Pennsylvania Retailers' Association

224 PINE STREET • HARRISBURG, PA • 17101-1325  
(717) 233-7976 • 800-727-3824 • FAX (717) 236-1234

MEM

May 29, 1997

Honorable George M. Kashi  
Pennsylvania Public Utility Commission  
North Office Building  
P.O. Box 3265  
Harrisburg, PA 17105

RECEIVED  
MAY 30 1997

**RE: Pennsylvania Power & Light Company - Electric Restructuring Docket #R-00973954**

Dear Judge Kashi:

On behalf of the Pennsylvania Retailers' Association, I hereby respectfully request active party status in the Pennsylvania Power & Light Company electric restructuring case - Docket #R-00973954. All documents should be sent to:

DOCKETED

JUN 09 1997

Brian A. Rider, President  
Pennsylvania Retailers' Association  
224 Pine Street  
Harrisburg, PA 17101-1325  
Telephone: 717-233-7976  
Fax: 717-236-1234

Thank you for your consideration.

Sincerely,

Brian A. Rider  
President

BAR:klg

DOCUMENT  
FOLDER

RECEIVED  
97 JUN -6 AM 9:17  
PROTHONOTARY'S OFFICE  
PAPUC

DATE: May 30, 1997

SUBJECT: R-00973953  
R-00973954

TO: Office of Administrative Law Judge

FROM: *WJ* John G. Alford, Secretary

DOCUMENT  
FOLDER

*KJR*  
PECO ENERGY COMPANY RESTRUCTURING PLAN  
(R-00973953)

PENNSYLVANIA POWER & LIGHT COMPANY  
RESTRUCTURING PLAN (R-00973954)

DOCKETED

JUN 02 1997

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Attached is copy of a Petition to Intervene of the Pennsylvania Petroleum Association filed in connection with the above docketed proceedings.

This matter is assigned to your Office for appropriate action.

Attachment

cc: OTS

wjz

**DOCKETED**

JUN 02 1997

**DOCUMENT  
FOLDER**

**APPEARANCE SHEET**

**ALJ HEARING REPORT**

Docket No. R-00973954

---

Case Name Pennsylvania Power & Light Company, Application for approval of a Restructuring Plan

---

Location Harrisburg, PA

---

Date May 16, 1997

---

ALJ George M. Kashi, ALJ

---

Reporting Firm Holbert

CHECK THOSE BLOCKS WHICH APPLY:

Prehearing held YES  NO

Hearing held YES  NO

Testimony taken YES  NO

Hearing concluded YES  NO

Further hearing needed YES  NO

Estimated add'l days \_\_\_\_\_

RECORD CLOSED YES  NO

Briefs to be Filed YES  NO

BENCH DECISION YES  NO

REMARKS:  
8/22-20

PROTHONOTARY'S OFFICE  
 97 MAY 30 1997  
 KJR  
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 9:44

RECEIVED  
 OFFICE OF C.A.L.J.  
 97 MAY 29 PM 4:06  
 PA PUC

NAMES, ADDRESSES AND TELEPHONE NUMBERS OF PARTIES OR COUNSEL OF RECORD  
 PLEASE PRINT CLEARLY  
 INCOMPLETE INFORMATION MAY RESULT IN DELAY OF PROCESS

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CRAIG BURORAFF JAMES MULLINS Telephone No. (717) 783-5048	1425 STEUBENBERG SQ. City HBG State PA Zip 17120	CONSUMER ADVOCATE

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Paul E. Nordstrom Telephone No. 202/371-6096	901 15th St NW City Washington State DC Zip 20005	Allegheny Power
Stephen M. Hladik Telephone No. 610-640-1200	40 Darby Road City Paoli State PA Zip 19301	Schuylkill Energy Resources, Inc.
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Janet Miller Milakota Hawke & McKem Telephone No. 717-236-1300	100 N. Tenth St. PO Box 1778 City Harrisburg State PA Zip 17105	Mid-Atlantic Power Supply Association
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DONALD A. KAPLAN 202-662-8465 Telephone No.	1735 NEW YORK AVE SUITE 500 City WASHINGTON State DC Zip 20008	PP&L
Telephone No.	City State Zip	

**APPEARANCE SHEET**

**ALJ HEARING REPORT**

Docket No. R-00973954

---

Case Name Pennsylvania Power & Light Company, Application for approval of a Restructuring Plan

---

Location Harrisburg, PA

---

Date May 16, 1997

---

ALJ George M. Kashi, ALJ

---

Reporting Firm Adler

CHECK THOSE BLOCKS WHICH APPLY:

Prehearing held YES  NO

Hearing held YES  NO

Testimony taken YES  NO

Hearing concluded YES  NO

Further hearing needed YES  NO

Estimated add'l days \_\_\_\_\_

RECORD CLOSED YES  NO

DATE \_\_\_\_\_

Briefs to be Filed YES  NO

DATE \_\_\_\_\_

BENCH DECISION YES  NO

REMARKS: 8-26-28

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NAMES, ADDRESSES AND TELEPHONE NUMBERS OF PARTIES OR COUNSEL OF RECORD  
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INCOMPLETE INFORMATION MAY RESULT IN DELAY OF PROCESS

NAME and TELEPHONE NUMBER	ADDRESS	APPEARING FOR
David M. Kleppinger / Pamela C. Polacek Telephone No. 717-237-5368	100 Pine Street P.O. Box 1166 City: H'burg State: PA Zip: 17108-1166	PP & L Industrial Customer Alliance ("PPLICA")
David A. McCormick Telephone No. _____	901 N. Stuart Street, Rm 713 City: Arlington State: VA Zip: 22203	Consumer interest of U.S. Department of Defense

NAME and TELEPHONE NUMBER	ADDRESS			APPEARING FOR
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Robert J Longwell WOLF, BLOCK, SHORR & SIEGHEEN Telephone No. 237-7181	305 N. FRONT ST, Suite 401 City HARRISBURG Pa Zip 17102			ENRON CAPITAL & TRADE RESOURCES INC.
Craig A. Doll Telephone No. 230-9555	214 State St. City Hbg. State PA Zip 17101			Delmarva Power & Light Co.
John Gallagher Telephone No. 232-8199	200 N. 3rd St Suite 300 PO Box 12105 City Harrisburg PA Zip 17108 2105			Duquesne Light Co
Karen Oill Moury Telephone No. 717-783-2525	Suite 1102 300 N 2nd St City Hbg State PA Zip 17101			OSBA
ANDREW S. TURBS Telephone No. 717-233-5704	212 Locust St City Hbg State PA Zip 17108			Allegheny Electric Cooperative, Inc.
ERIC EPSTEIN Telephone No. 717-541-1101	2308 Brandywine Dr City Hbg. State PA Zip 17110			Pro SE
Telephone No.	City State Zip			
Telephone No.	City State Zip			
Telephone No.	City State Zip			
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MAY 30 PM 4:14  
PROTHONOTARY'S OFFICE  
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May 30, 1997

James J. McNulty, Prothonotary  
PA Public Utility Commission  
Room B 20, North Office Building  
PO Box 3265  
Harrisburg, PA 17105-3265

**ORIGINAL**

RE: In the Matter of Pennsylvania Power and Light Company's Restructuring  
Plan; Docket No. R-00973954

Dear Mr. McNulty:

Enclosed for filing please find an original and three copies of a Motion to Intervene in the above-captioned proceeding on behalf of The Center for Energy and Economic Development.

Copies of the document have been served in accordance with the attached certificate of service.

Any questions, please contact me.

Sincerely,

Susan M. Shanaman, Attorney for  
The Center for Energy and Economic  
Development

cc: Parties of Record  
Hon. George M. Kashi

DOCUMENT  
FOLDER

ORIGINAL

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RE: In the Matter of Pennsylvania :  
Power and Light Company's : Docket No.  
Application for Approval of : R-00973954  
Restructuring Plan : R

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F.A.P.U.C.  
PROTIDROTARY'S OFFICE

PETITION TO INTERVENE OF  
THE CENTER FOR ENERGY AND ECONOMIC DEVELOPMENT

The Center for Energy and Economic Development ("CEED"), by and through its undersigned attorney, and pursuant to the Commission's rules at 52 Pa. Code Section 5.71 et seq, hereby petitions to intervene in the above-captioned matter. In support thereof, CEED states as follows:

1. The name and address of the entity seeking intervention is as follows:

The Center for Energy and Economic Development  
John Paul, President  
500 Burton Avenue, Suite 2-A  
Nothfield, NJ 08225  
609-383-0066  
609-383-0015(fax)

2. CEED will be represented in this proceeding by the following counsel:

Susan M. Shanaman, Esquire  
212 North Third Street, Suite 203  
Harrisburg, PA 17101  
717-236-2055  
717-236-2070(fax)

3. CEED is actively involved in electric competition issues in Pennsylvania and around the nation. CEED is an association of many industries economically allied

DUCKETED  
JUN 06 1997

DOCUMENT  
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with the coal industry.

4. On December 3, 1996, Governor Ridge signed the Electricity Generation Choice and Competition Act into law, 66 Pa.C.S. Section 2801, et seq. This Act requires the restructuring of Pennsylvania's electric industry to implement the transition from the monopoly provision of electricity supply to a competitive market.

5. This transition and the restructuring of the industry must be accomplished in a manner consistent with the Act and consistent with the stimulation of economic development, while providing the benefits of reduced pricing and improved services to residential and business customers throughout the Commonwealth.

6. In recent years, several factors have led to false or misleading impressions about the production and use of coal in America. These negative impressions are coupled with a lack of understanding about the critical role that coal plays in our nation's, and state's economy and global competitiveness. Coal is America's abundant and economic energy source generating nearly sixty percent (60%) of our electricity. Both at home and abroad, inexpensive electricity fosters economic development, stimulates job growth, and raises standards of living.

7. CEED would note that nearly eighty-six percent (86%) of Pennsylvania's bituminous coal distribution during the past year went to electric utilities, with almost fifty-six percent (56%) to generation plants within the state's borders.

8. CEED is particularly concerned as to the Commission's being presented with the opportunity to adopt environmental regulation under the guise of

restructuring, such additional environmental regulation having no legal justification in the law. It is CEED's belief that the Commission should not take any action which would prevent coal from reaching its full potential as a fuel of the future, or worse, could relegate coal into second class status as a fuel, denied access to markets.

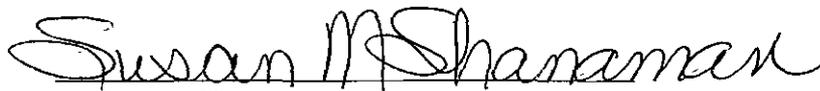
9. CEED member companies have a substantial interest in this proceeding which is not adequately represented by any other party. As its member companies may be customers or involved in the supplying of materials to the Company, CEED has a direct, immediate and substantial interest in the subject matter of the proceeding.

10. CEED recognizes that certain procedural dates have already been set forth in this proceeding. CEED would intend, upon being apprised of their nature, to abide by such schedules as have been previously established.

WHEREFORE, for all of the foregoing reasons, The Center for Energy and Economic Development respectfully requests the Commission to grant this Petition to Intervene as a party of record in this proceeding.

Respectfully submitted,

The Center for Energy and Economic  
Development



Susan M. Shanaman  
212 North Third Street, Suite 203  
Harrisburg, PA 17101  
717-236-2055

Dated: May 30, 1997

CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing document upon the following persons by first class mail, postage prepaid.

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Susan M. Shanaman

Attorney for The Center for Energy and  
Economic Development

Dated: May 30, 1997



**Pennsylvania Power & Light Company**

Two North Ninth Street • Allentown, PA 18101-1179 • 610/774-5151

ORIGINAL

Paul E. Russell  
Associate General Counsel  
610/774-4254

FAX: 610/774-6726

MEM

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May 30, 1997

VIA FEDERAL EXPRESS

James J. McNulty, Esquire  
Prothonotary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, Pennsylvania 17105-3265

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MAY 30 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

**Re: Pennsylvania Power & Light Company  
Restructuring Plan  
Docket No. R-00973954**

Dear Mr. McNulty:

Attached for filing, pursuant to the Commission's regulations, 52 Pa. Code § 5.342(d), is a Certificate of Service identifying answers to interrogatories that Pennsylvania Power & Light Company served today on the active participants in this proceeding.

If you have any questions regarding this letter, please call.

Very truly yours,

*Paul E. Russell/dlw*

Paul E. Russell

Attachment

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

Pennsylvania Power & Light Company :  
Restructuring Plan Filing : Docket No. R-00973954

**DOCKETED**

**JUN 09 1997**

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**CERTIFICATION OF SERVICE**  
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**MAY 30 1997**

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

I hereby certify that I have this day served a true copy of Pennsylvania

Power & Light Company's answers to the Office of Trial Staff's Interrogatories,  
Set RB number 39 through 51 upon the active participants listed below, in  
accordance with the requirements of §1.54 (relating to service by a participant):

**Federal Express**

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Ryan, Russell, Ogden & Seltzer, LLP  
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Suite 101  
Harrisburg, PA 17102-2025

John Munsch  
Allegheny Power  
800 Cabin Hill Drive  
Greensburg, PA 15601-1689

Paul E. Nordstrom  
Verner & Lipfert, Berhard, McPherson & Hand  
901 15th Street, N.W., Suite 700  
Washington, DC 20005

Dated this 30th day of May, 1997.

  
\_\_\_\_\_  
Dorene L. Wehr



**ORIGINAL**  
Pennsylvania Power & Light Company

Two North Ninth Street • Allentown, PA 18101-1179 • 610/774-5151

KJR

Paul E. Russell  
Associate General Counsel  
610/774-4254

FAX: 610/774-6726

June 2, 1997

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JUN 2 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

**VIA FEDERAL EXPRESS**

James J. McNulty, Esquire  
Prothonotary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, Pennsylvania 17105-3265

**Re: Pennsylvania Power & Light Company  
Restructuring Plan  
Docket No. R-00973954**

Dear Mr. McNulty:

Attached for filing, pursuant to the Commission's regulations, 52 Pa. Code § 5.342(d), is a Certificate of Service identifying answers to interrogatories that Pennsylvania Power & Light Company served today on the active participants in this proceeding.

If you have any questions regarding this letter, please call.

Very truly yours,

*Paul E. Russell/dlw*

Paul E. Russell

Attachment

DOCUMENT  
FOLDER

**ORIGINAL**

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Power & Light Company :  
Restructuring Plan Filing : Docket No. R-00973954

**CERTIFICATION OF SERVICE**

**RECEIVED**

JUN 2 1997

PA PUBLIC UTILITY COMMISSION  
OFFICE OF PENNSYLVANIA  
NOTARY'S OFFICE

I hereby certify that I have this day served a true copy of Pennsylvania

Power & Light Company's answers to the Office of Small Business Advocate's  
Interrogatories, Set I, Questions 8, and 41 through 47 upon the active participants  
listed below, in accordance with the requirements of §1.54 (relating to service by a  
participant):

**Federal Express**

Johnnie Simms, Esquire  
Office Of Trial Staff  
Pennsylvania Public Utility Commission  
Third Floor, Pitnick Building  
901 North Seventh Street - Rear  
Harrisburg, PA 17105-3265

James A. Mullins, Esquire  
Craig R. Burgraff, Esquire  
Tanya A. McCloskey, Esquire  
Office Of Consumer Advocate  
1425 Strawberry Square  
Harrisburg, PA 17120

**DOCKETED**  
JUN 05 1997

**DOCUMENT  
FOLDER**

Karen Oill Moury, Esquire  
Office Of Small Business Advocate  
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PECO Energy Company  
2301 Market Street, S23-1  
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Greensburg, PA 15601-1689

Paul E. Nordstrom  
Verner & Lipfert, Berhard, McPherson & Hand  
901 15th Street, N.W., Suite 700  
Washington, DC 20005

Dated this 2nd day of June, 1997.



---

Dorene L. Wehr

ORIGINAL



Pennsylvania Power & Light Company

Two North Ninth Street • Allentown, PA 18101-1179 • 610/774-5151

Paul E. Russell  
Associate General Counsel  
610/774-4254

KJR

FAX: 610/774-6726

June 2, 1997

**VIA FEDERAL EXPRESS**

James J. McNulty, Esquire  
Prothonotary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, Pennsylvania 17105-3265

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JUN 2 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

**Re: Pennsylvania Power & Light Company  
Restructuring Plan  
Docket No. R-00973954**

Dear Mr. McNulty:

Attached for filing, pursuant to the Commission's regulations, 52 Pa. Code § 5.342(d), is a Certificate of Service identifying answers to interrogatories that Pennsylvania Power & Light Company served today on the active participants in this proceeding.

If you have any questions regarding this letter, please call.

Very truly yours,

*Paul E. Russell /dlw*

Paul E. Russell

DOCUMENT  
FOLDER

Attachment

**ORIGINAL**

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

\_\_\_\_\_  
Pennsylvania Power & Light Company :  
Restructuring Plan Filing : Docket No. R-00973954

**RECEIVED**

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**CERTIFICATION OF SERVICE**  
\_\_\_\_\_

JUN 2 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

I hereby certify that I have this day served a true copy of Pennsylvania

Power & Light Company's answers to Enron Capital & Trade Resources' Interrogatories, Set I, Questions 1 and 3 through 43 upon the active participants listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

**Federal Express**

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Craig R. Burgraff, Esquire  
Tanya A. McCloskey, Esquire  
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**DOCKETED**  
JUN 05 1997

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Paul E. Nordstrom  
Verner & Lipfert, Berhard, McPherson & Hand  
901 15th Street, N.W., Suite 700  
Washington, DC 20005

Dated this 2nd day of June, 1997.

  
\_\_\_\_\_  
Dorene L. Wehr



Pennsylvania Power & Light Company

Two North Ninth Street • Allentown, PA 18101-1179 • 610/774-5151

MEM

Paul E. Russell  
Associate General Counsel  
610/774-4254

FAX: 610/774-6726

ORIGINAL

June 3, 1997

**VIA FEDERAL EXPRESS**

James J. McNulty, Esquire  
Prothonotary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, Pennsylvania 17105-3265

RECEIVED

JUN 3 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

**Re: Pennsylvania Power & Light Company  
Restructuring Plan  
Docket No. R-00973954**

Dear Mr. McNulty:

Attached for filing, pursuant to the Commission's regulations, 52 Pa. Code § 5.342(d), is a Certificate of Service identifying answers to interrogatories that Pennsylvania Power & Light Company served today on the active participants in this proceeding.

If you have any questions regarding this letter, please call.

Very truly yours,

*Paul E. Russell/dlr*

Paul E. Russell

Attachment

DOCUMENT  
FOLDER

RECEIVED

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JUN 3 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

\_\_\_\_\_  
Pennsylvania Power & Light Company :  
Restructuring Plan Filing : Docket No. R-00973954

\_\_\_\_\_  
**CERTIFICATION OF SERVICE**  
\_\_\_\_\_

I hereby certify that I have this day served a true copy of Pennsylvania Power & Light Company's answers to the Commission on Economic Opportunity's Interrogatories, Set I, Questions 1 through 61 upon the active participants listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

**Federal Express**

Johnnie Simms, Esquire  
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**DOCKETED**  
JUN 05 1997

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35 Glenlake Parkway, Suite 475  
Atlanta, GA 30328

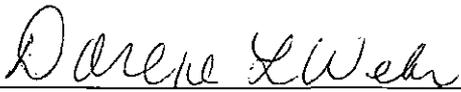
Bruce Biewald  
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Cambridge, MA 02138

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Greensburg, PA 15601-1689

Paul E. Nordstrom  
Verner & Lipfert, Berhard, McPherson & Hand  
901 15th Street, N.W., Suite 700  
Washington, DC 20005

Dated this 3rd day of June, 1997.

  
\_\_\_\_\_  
Dorene L. Wehr

ORIGINAL

June 3, 1997

Paul E. Russell, Esq.  
Associate General Counsel  
Pennsylvania Power & Light Company  
Two North Ninth Street  
Allentown, PA 18101

001241

97 JUN -4 AM 10:47

RECEIVED  
PROTHONOTARY'S OFFICE

Re:  
PA PUC v. Pennsylvania Power & Light Company (PP&L) -  
Application of PP&L for Approval of its Restructuring Plan  
under Section 2806 of the Public Utility Code;  
Docket Number: R-00973954

EM

Dear Mr. Russell:

Enclosed please find two (2) copies of Eric Epstein's Interrogatories in the  
Above-referenced proceeding.

Please attempt to respond to these interrogatories within ten (10) business days  
of service.

Copies of these interrogatories will be served on all parties and stake holders  
identified in the most recent Certificate of service by the United States Postal Service,  
First Class.

Sincerely,



Eric Joseph Epstein, *Pro Se*  
2308 Brandywine Drive  
Harrisburg, PA  
17110  
(717)-541-1101 Phone  
(717)-541-5487 Fax  
eepstein@igc.apc.org

cc: James McNulty, Prothonotary (Certificate of Service Only)

DOCUMENT  
FOLDER

**ORIGINAL**

BEFORE THE

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

JUN -4 AM 10:47

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PROTHONOTARY'S OFFICE

In the Matter of Pennsylvania Power & Light  
Company's Restructuring Plan

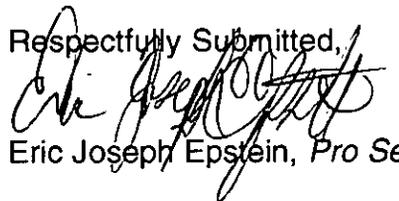
: Docket No. R-00973954

---

**ERIC JOSEPH EPSTEIN's INTERROGATORIES TO  
PENNSYLVANIA POWER & LIGHT COMPANY  
2308 Brandywine Drive  
Harrisburg, PA 17110**

Enclosed please find interrogatories submitted by Eric Joseph Epstein Pro Se to Pennsylvania Power & Light Company (PP&L). Pursuant to 52 Pa. Code S 5.34, Mr. Epstein requests that these interrogatories be answered by officers, employees, agents or representatives of PP&L cognizant of the requested facts and data and who are authorized to answer on behalf of PP&L.

Respectfully Submitted,

  
Eric Joseph Epstein, Pro Se

**DOCKETED**  
JUN 09 1987

DATED: June 3, 1997

~~DOCUMENT  
FOLDER~~

## I. INSTRUCTIONS

1. "PP&L" and the "Company" refers to Pennsylvania Power & Light Company and its predecessors and all employees agents, attorneys, representatives or any person acting on their behalf for any purpose.
2. These interrogatories are deemed to be on going and PP&L is obliged to change, supplement, update, correct and/or revise all answers to interrogatories that conform to available information, including any timely material that becomes available after PP&L's present response.
3. Please restate the question asked and identify persons and/or entities providing the information.
4. Please process and present all data and information that is within the Company's knowledge, purview, control or custody of PP&L and can be reasonably ascertained thereby.
5. The terms "document," "documents," "materials," "analysis," "analyses" or "studies" should include, but not be limited to, the original and copies of memoranda, forms, notes, notices, letters, reports, books and/or manuals, instructions, directives, records, confirmations, electronic mailings, facsimiles, telegrams, pamphlets, notations of any sort concerning conversations, transcriptions of telephone calls and /or other meetings or briefings, bulletins, transcripts, diaries, summaries, correspondence and circulars, opinions, studies and/or proposed studies, analysis and/or analyses investigations, questionnaires and/or surveys, worksheets, tabulations, and all drafts, preliminary versions, alterations, modifications, revisions, changes, amendments, and written comments concerning the above mentioned.

ORIGINAL

Before the  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ERIC JOSEPH EPSTEIN

001243

97 JUN -4 AM 10:48

v.

:  
: Docket No. R-00973954  
:

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PROTHONOTARY'S OFFICE

PENNSYLVANIA POWER and LIGHT  
COMPANY

**CERTIFICATION OF SERVICE**

I hereby certify that I have this day served a true and correct copy of the foregoing document upon the individuals named below by US mail or hand delivery in accordance with the requirements of Section 1.54.

The Honorable George M. Kashi  
Administrative Law Judge  
Pennsylvania Public Utility Commission  
North Office Building  
PO Box 3265  
Harrisburg, PA 17105- 3265

Donald A. Kaplan, Lisa M. Helpert  
Preston, Gates, Ellis & Rouvelas  
Meeds, LLP  
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PA PUC  
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Ahlstrom Develop. Corp.  
4350 La Jolla Village Dr., Suite 210  
San Diego, CA 92122

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JUN 09 1997

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Allegheny Power  
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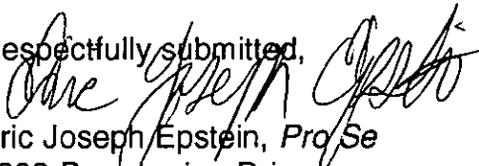
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Harrisburg, PA 17112-9240

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Powell, Trachtman, Logan, Carrle,  
Bowman & Lombardo, P.C.  
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Pittston, PA 18640-1793

Respectfully submitted,

  
Eric Joseph Epstein, Pro Se  
2308 Brandywine Drive  
Harrisburg, PA 17110

DATE: JUNE 3, 1997

MEM

COMMONWEALTH OF PENNSYLVANIA

DATE: June 4, 1997

SUBJECT: R-00973954

TO: Office of Administrative Law Judge

FROM: *WJZ* John G. Alford, Secretary

APPLICATION OF PENNSYLVANIA POWER & LIGHT  
COMPANY RESTRUCTURING PLAN

---

Attached is copy of a Motion to Intervene of The Center for Energy and Economic Development filed in connection with the above docketed proceeding.

This matter is assigned to your Office for appropriate action.

Attachment

cc: OTS

wjz

DUCKETED

JUN 06 1997

DOCUMENT  
FOLDER

ROLAND, FOGEL, KOBLENZ & CARR, LLP

ATTORNEYS AT LAW

1 COLUMBIA PLACE

ALBANY, NEW YORK 12207

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GEORGE A. ROLAND\*  
COUNSEL  
\*ALSO ADMITTED TO FLORIDA BAR

DOCUMENT  
FOLDER

June 5, 1997

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JUN 5 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

**BY UPS OVERNIGHT**

Mr. James J. McNulty  
Deputy Prothonotary  
Office of Prothonotary - Room B-20  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Re: Pennsylvania Power & Light Co. - Application for Approval of  
Restructuring Plan - Docket No. R-00973954

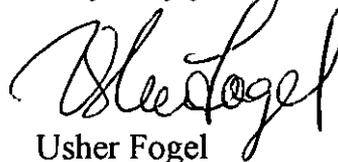
Dear Mr. McNulty:

Enclosed please find an original and nine (9) copies of the revised "Motion To Appear Pro Hac Vice On Behalf Of Intervenor Pennsylvania Petroleum Association" filed on behalf of the Pennsylvania Petroleum Association in the above-captioned matter.

A copy of this filing has been served upon all active parties.

Please date stamp our "file copy" and return in the enclosed self-addressed envelope.

Very truly yours,



Usher Fogel

UF/mac  
Enclosures

cc: Active Parties to Docket No. R-00973954 (by first class mail)  
Hon. George M. Kashi, Administrative Law Judge (by UPS overnight)

MEM  
ORIGINAL

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ORIGINAL

JUN 5 1997

COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITIES COMMISSION

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

PENNSYLVANIA PUBLIC UTILITY COMMISSION )

v. )

PENNSYLVANIA POWER & LIGHT COMPANY )

Docket No. R-00973954

DOCUMENT  
FOLDER

MOTION TO APPEAR PRO HAC VICE ON BEHALF  
OF INTERVENOR PENNSYLVANIA PETROLEUM ASSOCIATION

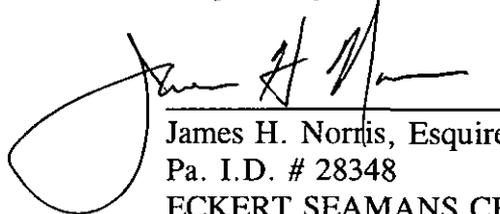
The undersigned, James H. Norris, a member in good standing of the Pennsylvania Bar, respectfully moves that the following attorney be permitted to appear *pro hac vice* on behalf of the Pennsylvania Petroleum Association ("PPA"), an intervenor in the above-captioned proceeding:

Usher Fogel

**DOCKETED**  
JUN 09 1997

In support of this Motion and attached hereto is an affidavit filed by Usher Fogel stating that he is a member in good standing of the Bar of the State of New York which grants like privileges to members in good standing of the Bar of this Commonwealth. See 52 Pa. Code § 1.22. Mr. Fogel has advised PPA concerning the issues raised in the subject proceeding and he has special knowledge regarding such matters.

Respectfully submitted,



James H. Norris, Esquire

Pa. I.D. # 28348

ECKERT SEAMANS CHERIN & MELLOTT

600 Grant Street, 42nd Floor

Pittsburgh, PA 15219

(412) 566-6159

DATED: June 4, 1997

COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITIES COMMISSION

AFFIDAVIT OF USHER FOGEL

I, Usher Fogel, hereby depose and say as follows:

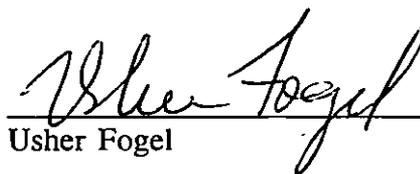
1. I am an attorney with the law firm of Roland, Fogel, Koblenz & Carr, LLP, which has an office in Albany, New York.

2. I am a member in good standing of the Bar of the State of New York, which is the location of my principal office for the practice of law, and have been licensed to practice before the highest judicial court in the State of New York since 1977.

3. There are no disciplinary proceedings pending against me as a member of the bar in any jurisdiction.

4. I have advised The Pennsylvania Petroleum Association, an intervenor in the above-captioned matter, with respect to the matters in issue before the Pennsylvania Public Utility Commission and have special knowledge regarding such matters.

I understand the statements herein are subject to the penalties of 18 Pa. C.S.A. § 4904, relating to the unsworn falsification to authorities.

  
Usher Fogel

Sworn to before me this  
5th day of June, 1997

  
Notary Public

**MARY ANNE CLARK**  
NOTARY PUBLIC, State of New York  
No. 4720120  
Qualified in Albany County  
Commission Expires: 10/31/98

CERTIFICATE OF SERVICE

Re: Pennsylvania Public Utility Commission  
v.  
Pennsylvania Power & Light Company  
(Application for Approval of a Restructuring Plan)  
Docket No. R-00973954

I hereby certify that I have this day served the foregoing document, "Motion To Appear Pro Hac Vice On Behalf Of Intervenor Pennsylvania Petroleum Association", by first class mail, postage prepaid, upon the parties of record in this proceeding.

Dated at Albany, New York, this 5th day of June, 1997.

Paul E. Russell, Esq.  
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Allentown, PA 18101

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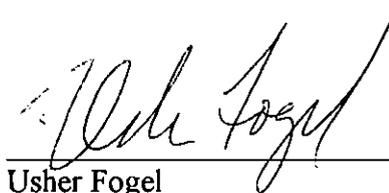
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Pennsylvania Power & Light Company

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MEM

JUN 5 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

Paul E. Russell  
Associate General Counsel  
610/774-4254

FAX: 610/774-6726

June 5, 1997

**VIA FEDERAL EXPRESS**

James J. McNulty, Esquire  
Prothonotary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, Pennsylvania 17105-3265

DOCUMENT  
FOLDER

**Re: Pennsylvania Power & Light Company  
Restructuring Plan  
Docket No. R-00973954**

---

Dear Mr. McNulty:

Attached for filing, pursuant to the Commission's regulations, 52 Pa. Code § 5.342(d), is a Certificate of Service identifying answers to interrogatories that Pennsylvania Power & Light Company served today on the active participants in this proceeding.

If you have any questions regarding this letter, please call.

Very truly yours,

*Paul E Russell/dtw*

Paul E. Russell

Attachment

DOCKETED

JUN 09 1997

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

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JUN 5 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

Pennsylvania Power & Light Company :  
Restructuring Plan Filing : Docket No. R-00973954

CERTIFICATION OF SERVICE

DOCUMENT  
FOLDER

\_\_\_\_\_ hereby certify that I have this day served a true copy of Pennsylvania Power & Light Company's answers to the PP&L Industrial Customer Alliance Interrogatories, Set V, Questions 1 through 5 and 7 through 14 upon the active participants listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

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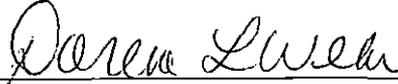
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Greensburg, PA 15601-1689

Paul E. Nordstrom  
Verner & Lipfert, Berhard, McPherson & Hand  
901 15th Street, N.W., Suite 700  
Washington, DC 20005

Dated this 5th day of June, 1997.

  
\_\_\_\_\_  
Dorene L. Wehr



Pennsylvania Power & Light Company

Two North Ninth Street • Allentown, PA 18101-1179 • 610/774-5151

**ORIGINAL**

Paul E. Russell  
Associate General Counsel  
610/774-4254

FAX: 610/774-6726

June 5, 1997

RECEIVED MEM

JUN 5 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

**VIA FEDERAL EXPRESS**

James J. McNulty, Esquire  
Prothonotary  
Pennsylvania Public Utility Commission  
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Harrisburg, Pennsylvania 17105-3265

DOCUMENT  
FOLDER

**Re: Pennsylvania Power & Light Company  
Restructuring Plan  
Docket No. R-00973954**

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Dear Mr. McNulty:

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If you have any questions regarding this matter, please call.

Very truly yours,

*Paul E Russell/dta*

Paul E. Russell

Attachment

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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JUN 5 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

Pennsylvania Power & Light Company  
Restructuring Plan Filing

DOCKETED

Docket No. R-00973954

JUN 09 1997

DOCUMENT  
FOLDER

CERTIFICATION OF SERVICE

I hereby certify that I have this day served a true copy of Pennsylvania Power & Light Company's answers to the Office of Small Business Advocate's Interrogatories, Questions 1 through 11, 13 through 20, 23, 25, 26, 28, 29, 31, 32, 34 and 36 through 40 upon the active participants listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

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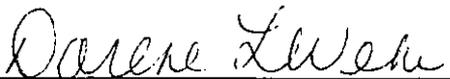
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Dated this 5th day of June, 1997.

  
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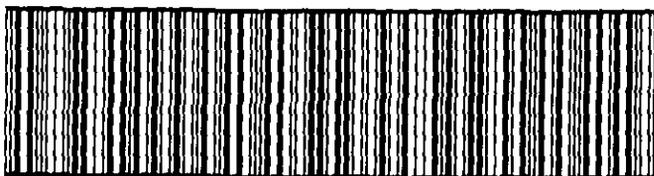
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June 5, 1997

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VIA FEDERAL EXPRESS

Paul E. Russell, Esq.  
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Two North Ninth Street  
Allentown, PA 18101

**Re: Pennsylvania Public Utility Commission v. Pennsylvania Power & Light Company  
- Application of Pennsylvania Power & Light Company for Approval of its  
Restructuring Plan under Section 2806 of the Public Utility Code;  
Docket No. R-00973954**

Dear Mr. Russell:

Please find enclosed two (2) copies of the PP&L Industrial Customer Alliance Interrogatories, Set VIII, to Pennsylvania Power & Light Company in the above-referenced proceeding. In addition, a 3.5 inch diskette containing the interrogatories in Word Perfect 5.1 is enclosed.

Responses to these interrogatories are due within ten (10) days of service. Please endeavor to forward responses in an organized manner as they are completed; it is not necessary to await completion of all responses prior to forwarding those completed more quickly. Please send one (1) copy of your responses and all attachments to the undersigned. In addition, please provide one (1) copy of your responses and all attachments to:

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Page 2

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Please communicate any objections or questions that you may have to these interrogatories as quickly as possible.

Copies of these interrogatories are being served on all parties consistent with the attached *Certificate of Service*.

Thank you for your attention to this matter.

Very truly yours,

McNEES, WALLACE & NURICK

By   
Pamela C. Polacek

Counsel to the PP&L Industrial Customer Alliance

PCP/

Enclosures

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James J. McNulty, Prothonotary (transmittal letter and Certificate of Service only)

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I hereby certify that I am this day serving a true copy of the foregoing Interrogatories of PP&L Industrial Customer Alliance Directed to Pennsylvania Power & Light Company, Set VIII upon the participants listed below in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

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**Docket No. R-00973954**

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**Docket No. R-00973954**

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Counsel to PP&L Industrial Customer Alliance

Dated this 5th day of June, 1997, at Harrisburg, Pennsylvania.

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June 5, 1997

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VIA FEDERAL EXPRESS

Paul E. Russell, Esq.  
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Pennsylvania Power & Light Company  
Two North Ninth Street  
Allentown, PA 18101

Re: **Pennsylvania Public Utility Commission v. Pennsylvania Power & Light Company  
- Application of Pennsylvania Power & Light Company for Approval of its  
Restructuring Plan under Section 2806 of the Public Utility Code;  
Docket No. R-00973954**

Dear Mr. Russell:

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Page 2

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McNEES, WALLACE & NURICK

By   
Pamela C. Polacek

Counsel to the PP&L Industrial Customer Alliance

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**Docket No. R-00973954**

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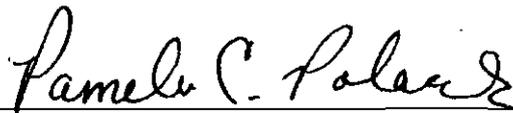
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DOCUMENT  
FOLDER

June 5, 1997

MEM

James J. McNulty, Prothonotary  
Pennsylvania Public Utility Commission  
Room B-20, North Office Building  
Harrisburg, PA 17120

VIA HAND DELIVERY

Re: **Application of Pennsylvania Power & Light Company for Approval of its  
Restructuring Plan Under Section 2806 of the Public Utility Code;  
Docket No. R-00973954**

Dear Prothonotary McNulty:

On April 24, 1997, the PP&L Industrial Customer Alliance ("PPLICA") filed a Formal Complaint in the above-referenced proceeding. On May 15, 1997, PPLICA filed a letter showing expansion of its membership. PPLICA's membership for purposes of this proceeding has further expanded to now include the following 18 companies:

- Air Products and Chemicals, Inc.
- Alumax
- Appleton Papers Inc.
- Armstrong World Industries
- Bethlehem Steel Corporation
- CertainTeed Corporation
- Hercules Cement Company
- Hershey Foods Corporation
- Horsehead Resource Development Co., Inc.
- Lafarge Corporation Whitehall Plant

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19

James J. McNulty, Prothonotary  
June 5, 1997  
Page 2

Magee Carpet Company  
Praxair, Inc.  
R.R. Donnelley & Sons Company  
The Stroh Brewery Company  
Techneglass, Inc.  
Thomson Consumer Electronics, Inc.  
Victaulic Company of America  
WEA Manufacturing

An original and three (3) copies of this letter are enclosed for filing with the Commission. As evidenced by the attached Certificate of Service, all parties to this proceeding are being duly served. Please date stamp the extra copy of this letter and kindly return it for our filing purposes. Thank you.

Respectfully submitted,

McNEES, WALLACE & NURICK

By *Pamela C. Polacek*  
Pamela C. Polacek

Counsel to the PP&L Industrial Customer Alliance

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PCP/gm

c: Certificate of Service  
Honorable George M. Kashi (via hand delivery)

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JUN 13 1997

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CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a true copy of the foregoing letter upon the participants listed below in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA FIRST CLASS MAIL

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**CERTIFICATE OF SERVICE**

**Page 2**

**Docket No. R-00973954**

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**CERTIFICATE OF SERVICE**

**Page 3**

**Docket No. R-00973954**

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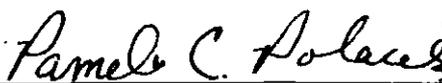
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\_\_\_\_\_  
Pamela C. Polacek, Esq.

Counsel to PP&L Industrial Customer Alliance

Dated this 5th day of June, 1997, at Harrisburg, Pennsylvania.

RECEIVED  
97 JUN -5 AM 10:13  
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PROTHONOTARY'S OFFICE



**ORIGINAL**  
Pennsylvania Power & Light Company

Two North Ninth Street • Allentown, PA 18101-1179 • 610/774-5151

MEM

Paul E. Russell  
Associate General Counsel  
610/774-4254

FAX: 610/774-6726

June 6, 1997

RECEIVED

**VIA FEDERAL EXPRESS**

James J. McNulty, Esquire  
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Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, Pennsylvania 17105-3265

JUN 6 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

**Re: Pennsylvania Power & Light Company  
Restructuring Plan  
Docket No. R-00973954**

---

Dear Mr. McNulty:

Attached for filing, pursuant to the Commission's regulations, 52 Pa. Code § 5.342(d), is a Certificate of Service identifying answers to interrogatories that Pennsylvania Power & Light Company served today on the active participants in this proceeding.

If you have any questions regarding this letter, please call.

Very truly yours,

*Paul E. Russell/dlw*

Paul E. Russell

Attachment

DOCUMENT

**ORIGINAL RECEIVED**

JUN 6 1997

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

Pennsylvania Power & Light Company :  
Restructuring Plan Filing : Docket No. R-00973954

---

**CERTIFICATION OF SERVICE**

---

I hereby certify that I have this day served a true copy of Pennsylvania Power & Light Company's answers to the Office of Small Business Advocate's Interrogatories, Questions 27, 30 and 33 upon the active participants listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

**Federal Express**

Johnnie Simms, Esquire  
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Tanya A. McCloskey, Esquire  
Office Of Consumer Advocate  
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**DOCKETED**

JUN 11 1997

**DOCUMENT  
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901 15th Street, N.W., Suite 700  
Washington, DC 20005

Dated this 6th day of June, 1997.



---

Dorene L. Wehr



**Pennsylvania Power & Light Company**

Two North Ninth Street • Allentown, PA 18101-1179 • 610/774-5151

MEM

Paul E. Russell  
Associate General Counsel  
610/774-4254

FAX: 610/774-6726

June 6, 1997

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JUN 6 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

**VIA FEDERAL EXPRESS**

Karen Oill Moury, Esquire  
Office Of Small Business Advocate  
Suite 1102, Commerce Building  
300 North Second Street  
Harrisburg, Pennsylvania 17101

**Re: Pennsylvania Power & Light Company  
Restructuring Plan  
Docket No. R-00973954**

Dear Ms. Oill Moury:

Enclosed are Pennsylvania Power & Light Company's (PP&L) answers to the Office of Small Business Advocate's Interrogatories identified in the attached Certificate of Service. As indicated in that Certificate of Service, copies of PP&L's answers have been served on all active participants in this proceeding.

If you have any questions regarding these answers, please call.

Very truly yours,

*Paul E. Russell/eltw*

Paul E. Russell

Enclosures

cc: Certificate of Service

DOCUMENT  
FOLDER

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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Pennsylvania Power & Light Company :  
Restructuring Plan Filing :

Docket No. R-00973954

JUN 6 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

**CERTIFICATION OF SERVICE**

I hereby certify that I have this day served a true copy of Pennsylvania Power & Light Company's answers to the Office of Small Business Advocate's Interrogatories, Questions 27, 30 and 33 upon the active participants listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

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Paul E. Nordstrom  
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901 15th Street, N.W., Suite 700  
Washington, DC 20005

Dated this 6th day of June, 1997.

  
\_\_\_\_\_  
Dorene L. Wehr

**Pennsylvania Power & Light Company  
Response to Interrogatories  
of the Office of Small Business Advocate, Set I  
Dated May 22, 1997**

---

**Docket No. R-00973954**

- Q.27. On 11 April 1997, the New York Times reported that General Public Utilities announced that it was considering sale or closure of the Oyster Creek nuclear plant by the year 2000. Please describe how you included the probability of plant closure of Oyster Creek and other high cost facilities.
- A.27. Plant closures specifically identified by PJM companies would be modeled in PP&L's analysis. In the case of the Oyster Creek nuclear plant, this information was made public eleven days after PP&L's restructuring filing. PP&L had no advance information regarding the *potential closure or sale of this plant prior to that notice*. Attempting to model other plant closures not identified by PJM companies and when those closures might occur would be speculative.

DOCKETED

JUN 11 1997

DOCUMENT  
FOLDED

**Pennsylvania Power & Light Company  
Response to Interrogatories  
of the Office of Small Business Advocate, Set I  
Dated May 22, 1997**

---

**Docket No. R-00973954**

Q.30. Please provide the SO<sub>2</sub> emission rates and emission limits used for each facility in each year in the EGEAS forecast.

A.30. Because the data requested is voluminous, SO<sub>2</sub> emission rates for each facility modeled in EGEAS for each year in terms of tons of SO<sub>2</sub> per year are provided on a diskette. The diskette is labeled "Response 30" and includes the file "OSBAQ30.xls". This diskette is being provided only to the Office of Small Business Advocate. Additional copies will be provided to other parties upon request. Emission rates for non-PP&L units reflect PP&L estimates of fuel sulfur content, emission control (if any), and generation resulting from the production cost simulation.

The EGEAS model does not place emission limits on individual facilities. Instead, facility limits, such as applicable state emission rate limits or specific permit conditions, are reflected by the selection of a fuel for each facility with a sulfur content which will not exceed each facility's allowable limits.

**Pennsylvania Power & Light Company  
Response to Interrogatories  
of the Office of Small Business Advocate, Set I  
Dated May 22, 1997**

---

**Docket No. R-00973954**

Q.33. For each non-utility generating plant included in the EGEAS PJM forecast, please provide your assumptions for fuel cost per kWh, variable O&M cost per kWh, incremental 'going forward' costs, capacity, and generation for each year of the forecast period.

A.33. PJM non-utility generators (NUGs) are modeled in EGEAS as an aggregated, base load energy purchase contract. The NUGs are considered to be "must run" units whose energy must be accepted by the PJM company with which they are under contract pursuant to PURPA Section 210 (or some alternative contractual arrangement). The NUGs are not dispatched based on system pool economics. They provide energy to the pool whenever the units are available to run. As such, the PJM NUGs are modeled in EGEAS as firm energy contracts with no costs. The forecast NUG generation for PJM is as follows:

<u>Year</u>	<u>PJM NUG GWH</u>	<u>Year</u>	<u>PJM NUG GWH</u>
1997	24,970	2007	30,410
1998	26,974	2008	29,584
1999	29,373	2009	29,079
2000	30,993	2010	27,928
2001	30,985	2011	27,871
2002	31,041	2012	27,871
2003	30,792	2013	27,871
2004	30,492	2014	27,870
2005	30,410	2015	27,844
2006	30,410	2016	27,844

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ORIGINAL

(717) 236-4812

Linda C. Smith

June 6, 1997

Prothonotary  
PA Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

PROTHONOTARY'S OFFICE  
97 JUN -6 PM 3:01  
RECEIVED

Re: Application of Pennsylvania Power & Light Company for Approval of its Restructuring Plan under Section 2806 of the Public Utility Code; Docket No. R-00973954

Dear Prothonotary:

Enclosed please find an original and three copies of the Petition to Intervene on behalf of the American Association of Retired Persons (AARP) for filing in the above-captioned action. Parties are being served in accord with the attached certificate of service.

Very truly yours,

*Linda C. Smith*

Linda C. Smith

LCS:lad  
Enclosures

cc: Certificate of Service

DOCUMENT  
FOUNDER

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

**ORIGINAL**

APPLICATION OF PENNSYLVANIA POWER :  
& LIGHT COMPANY FOR APPROVAL :  
OF ITS RESTRUCTURING PLAN UNDER :  
SECTION 2806 OF THE PUBLIC :  
UTILITY CODE :

DOCKET NO.  
R-00973594

R-00973954

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PETITION TO INTERVENE

NOW COMES, the American Association of Retired Persons ("AARP"), through its counsel Dilworth, Paxson, Kalish and Kauffman, LLP, and petitions to intervene in the above captioned proceeding. In support of its Petition, AARP states the following:

1. AARP is a private, non-profit membership organization incorporated in the District of Columbia. AARP is committed to serving all generations through education, advocacy and community service. AARP has been an advocate on utility and other issues of concern to older consumers at the state level through a predominantly volunteer effort.

2. AARP has over 1,740,000 members in Pennsylvania whose interests must be represented in this proceeding.

3. AARP, through its membership, has been active in the past on issues concerning public utilities and the policies and rulemakings established by the Pennsylvania Public Utility Commission.

4. The above captioned proceeding to restructure Pennsylvania Power and Light Company ("PP&L") is of significant concern to the citizens of Pennsylvania, including AARP's 1.7 million members in Pennsylvania. This proceeding presents an

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opportunity to achieve lower rates for consumers through the restructuring of PP&L pursuant to the Electricity Generation Competition and Customer Choice Act. 66 Pa.C.S. §§2801 et seq.

5. The manner in which PP&L is restructured will determine the level of decrease in rates, if any, as well as the manner in which the Consumer Education Program, universal service and energy conservation obligations will be met.

6. AARP is an interested party in this proceeding since the Commission's decision will affect thousands of AARP members in Pennsylvania, as well as other citizens that will become members in the future.

7. Due to its unique position as an association of volunteers advocating for the public interest in a non-partisan manner, the interests of AARP cannot be represented by any other party.

8. AARP will accept the schedule for this proceeding as heretofore determined by the presiding Judges and the active parties to the proceeding.

9. AARP desires to present written testimony and a short brief upon conclusion of the hearings in this matter, but AARP does not intend to request discovery or to cross-examine the witnesses presented by other parties. Thus, while AARP would like to receive notices and orders issued by the presiding Judges, service of testimony upon AARP will not be necessary. As such, allowing AARP to intervene in this proceeding will have minimal impact upon the proceeding but will allow AARP to put its position, and by

extension that of its 1.7 million members in Pennsylvania, into the record.

WHEREFORE, for all the foregoing reasons, AARP requests that its petition for intervention be granted.

Respectfully Submitted

  
\_\_\_\_\_  
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Dated: June 6, 1997

CERTIFICATE OF SERVICE

I, Linda C. Smith, hereby certify that I have this day caused a true copy of the foregoing to be served upon the parties of record in Docket No. R-00973594 in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service by a participant), in the manner and upon the parties listed below.

Dated at Harrisburg, Pennsylvania, June 6, 1997.

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