



**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

April 28, 1997 **ORIGINAL**

KJR

**VIA FEDERAL EXPRESS**

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

APR 28 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 matter, please call.

Very truly yours,

Paul E. Russell

Attachment

**DOCUMENT  
FOLDER**

108

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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APR 28 1997

Pennsylvania Power & Light Company :  
Restructuring Plan Filing :

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE  
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 1 numbered 1 through 26 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

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MAY 02 1997

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

David M. Kleppinger, Esquire  
McNees, Wallace & Nurick  
P. O. Box 1166  
100 Pine Street  
Harrisburg, PA 17108

Robert P. Haynes, III, Esquire  
Mette, Evans & Woodside  
3401 North Front Street  
P. O. Box 5950  
Harrisburg PA 17110

Rhonda Hendrickson  
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Harrisburg, PA 17108

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Steve Huntoon, Esquire  
Assistant General Counsel  
PECO Energy Company  
2301 Market Street, S23-1  
Philadelphia, PA 19103

Alan Kohler, Esquire  
305 North Front Street  
Harrisburg, PA 17101

Mary Huwaldt, Esquire  
Caplan & Lubert, LLP  
40 Darby Road  
Paoli, PA 19301

Michael J. Vough, Esquire  
Vough & Associates  
126 South Main Street  
Pittston, PA 18040

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901 15th Street, NW  
Suite 700  
Washington, DC 20005

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1417 Blue Mountain Parkway  
Harrisburg, PA 17112

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Department Of The Army  
Office Of The Judge Advocate General  
901 North Stuart Street  
Arlington, VA 22203-1837

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214 State Street  
Harrisburg, PA 17101

Scott J. Rubin, Esquire  
3 Lost Creek Drive  
Selinsgrove, PA 17870

Billie E. Ramsey, Executive Director  
ARIPPA  
1300 Market Street  
Lemoyne, PA 17043

Eric Epstein  
2308 Brandywine Drive  
Harrisburg PA 17710

Robert F. Young  
Deputy General Counsel  
212 Locust Street  
P. O. Box 1266  
Harrisburg, PA 17108-1266

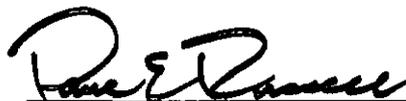
Michael A. Stosser, Esquire  
Heller Ehrman White & McAuliffe  
815 Connecticut Avenue, N.W.  
Suite 200  
Washington, DC 20006-4004

Bruce A. Connell  
General Counsel  
600 N. Dairy Ashford, ML-1034  
Houston, TX 77079

Joan O. Brandeis  
Schnader, Harrison, Segal & Lewis  
Suite 3600  
1600 Market Street  
Philadelphia, PA 19103-4252

Richard LaCapra  
Henry Yoshimura  
LaCapra Associates  
The Province Building  
333 Washington Street  
Boston, MA 02108

Dated this 28th day of April, 1997.

A handwritten signature in black ink, appearing to read "Paul E. Russell", written over a horizontal line.

Paul E. Russell



**Pennsylvania Power & Light Company**

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

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APR 28 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

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

Dear Mr. McNulty:

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

Very truly yours,

Paul E. Russell

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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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APR 28 1997

Pennsylvania Power & Light Company :  
Restructuring Plan Filing :

PA PUBLIC UTILITY COMMISSION  
REGISTRAR'S OFFICE  
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 Trial Staff's Interrogatories, Set RR numbered 1 through 7 and RB numbered 1 through 14 and 16 through 38 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  
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Tanya A. McCloskey, Esquire  
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Harrisburg, PA 17120

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Houston, TX 77079

Joan O. Brandeis  
Schnader, Harrison, Segal & Lewis  
Suite 3600  
1600 Market Street  
Philadelphia, PA 19103-4252

Dated this 28th day of April, 1997.

A handwritten signature in black ink that reads "Paul E. Russell". The signature is written in a cursive style with a large initial "P" and "R".

---

Paul E. Russell



**Pennsylvania Power & Light Company**

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

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

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

KJR

Dear Mr. McNulty:

This letter confirms that a technical conference in the above-captioned proceeding will be held on Friday, May 2, 1997, in Harrisburg in the Commission's Hearing Room No. 1. A copy of this letter is being served on all active parties to notify them of the technical conference. All active parties are invited to attend and participate.

Attached to this letter is an agenda for the technical conference setting forth major issues to be discussed, Pennsylvania Power & Light Company (PP&L) witnesses responsible for each issue and a general schedule for the day. PP&L is not planning to include the following witnesses or address the subject of their direct testimony: Dr. Joseph P. Kalt, Mr. Ronald E. Hill, Mr. Paul R. Moul and Dr. Susan F. Tierney. In addition, Dr. Tierney is not available to attend the technical conference. Otherwise, PP&L plans to present the witnesses (or, in some instances, support personnel) and discuss all of the topics shown on the attached agenda.

PP&L has proposed a schedule for the day to ensure that all of the major topics are discussed and to enable other parties to plan their participation in

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advance. Of course, some flexibility can be accommodated, but significant changes to the schedule could disrupt other parties' plans.

If necessary, PP&L would be willing to schedule a second technical conference. However, if all parties are fully prepared this Friday and if the discussion remains focused, a second technical conference should not be required.

If you have any questions regarding this letter or the upcoming technical conference, please call.

Very truly yours,

A handwritten signature in black ink, appearing to read "Paul E. Russell". The signature is written in a cursive style with a large initial "P" and "R".

Paul E. Russell

Attachments

cc: The Honorable George M. Kashi  
Certificate of Service

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PP&L Restructuring Plan  
Docket No. R-00973954  
Agenda for Technical Conference  
May 2, 1997 in Hearing Room No. 1

APR 23 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE  
10:00 - 12:00

Calculation of Stranded Costs

- S. T. Jones
- J. R. Schadt
- M. J. Berish
- D. S. Hoch

Lunch Break

12:00 - 1:00

Unbundling of Rates and Design of CTC

1:00 - 2:30

- J. M. Kleha
- D. A. Krall
- O. G. Kasper

Procedures for Retail Access

2:30 - 3:30

- W. H. Whitehead
- R. M. Geneczko
- H. W. Baumann
- B. J. Bujnowski

Public Purpose Programs and Customer  
Education Program

3:30 - 4:00

- T. R. Dahl
- D. G. Lennon

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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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Pennsylvania Power & Light Company :  
Restructuring Plan Filing :

PA PUBLIC UTILITY COMMISSION  
NOTARY'S OFFICE  
Docket No. R-00973954

---

**CERTIFICATION 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):

**Federal Express**

The Honorable George M. Kashi  
Pennsylvania Public Utility Commission  
North Office Building  
North Street and Commonwealth Avenue  
Harrisburg, PA 17105-3265

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

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600 N. Dairy Ashford, ML-1034  
Houston, TX 77079

Joan O. Brandeis  
Schnader, Harrison, Segal & Lewis  
Suite 3600  
1600 Market Street  
Philadelphia, PA 19103-4252

Dated this 28th day of April, 1997.

  
\_\_\_\_\_  
Paul E. Russell



**Pennsylvania Power & Light Company**

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



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PROTHONOTARY'S OFFICE

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

FAX: 610/774-6726

KJR

April 28, 1997

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

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

Dear Active Party:

Enclosed for your review and comment is a proposed protective order for use in this proceeding.

Because a number of the interrogatories submitted to date will elicit responses containing confidential information, we hope to finalize this proposed order and submit it to Judge Kashi by the end of this week.

Please call, write or fax any comments to me.

Very truly yours,

Paul E. Russell

Enclosure

DOCUMENT  
FOLDER

**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**

1. This Protective Order shall govern all protected material 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(a) below. A participant may designate as protected material which customarily is treated by that participant 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 competitive disadvantage or other business injury. 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.

PENNSYLVANIA POWER & LIGHT COMPANY  
PROPOSED PROTECTIVE ORDER  
APRIL 28, 1997

**DOCKETED**  
MAY 02 1997  
**DOCUMENT  
FOLDER**

2. For purposes of this order:

(a) The term "protected material" means (A) interrogatory answers, documents, depositions, and all other material provided by a participant in response to discovery requests in this proceeding and designated by such participant as protected; (B) any copy or reproduction of such designated material; (C) any information contained in or obtained from such designated material; (D) 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 (E) notes of protected material.

(b) The term "notes of protected material" means memoranda, handwritten notes, or any other form of information which copies or discloses material described in paragraph 2(a).

(c) Protected material shall not include (A) 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 (B) 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.

(d) The term "participant" means a participant as defined in Rule 1.8 of the Commission's Rules of Administrative Practice and Procedure.

(e) The term "producing party" means the participant that has designated material as protected material.

(f) The term "reviewing representative" is a person described in paragraph 8.

(g) The term "Commission" means the Public Utility Commission.

3. Protected material shall be made available to participants only through their reviewing representatives as provided in this Protective Order.

4. Protected material shall remain available to participants until 30 calendar days after an order terminating this proceeding becomes no longer subject to judicial review, or for such longer period as may be mutually agreed upon by the producing and reviewing parties. By the end of that period, all protected material shall be destroyed or returned to counsel for the producing party; however, copies of filings in this proceeding and official transcripts and exhibits in this proceeding may be retained, if they are maintained in accordance with paragraph 7, below. By the end of the aforementioned period, each participant shall submit an affidavit stating that the disposition of all protected material is in accordance with this paragraph.

5. Each page of protected material shall be physically marked as such by the participant providing such material. Protected material that is not in written or printed form shall be marked in a manner that provides comparable notice that such material is protected pursuant to this Protective Order.

6. All information disclosed during a deposition, and the deposition testimony and exhibits, shall be deemed to be protected material until 14 calendar days after the deposition transcript is received by the deponent, unless all parties attending the deposition agree that the information disclosed during the deposition should not be so designated. Any participant may designate any portion of the deposition testimony or exhibits as protected material within such 14 calendar-day period by marking such material as protected material and sending notice thereof to the other participants.

7. Protected material covered by this Protective Order shall be treated as confidential by each participant and reviewing representative in accordance with this Protective Order and the certificate executed pursuant to paragraph 8. Protected material shall be maintained by the participant in a secure place. Access to that place shall be limited to those reviewing representatives. No participant nor reviewing representative shall permit any individual to inspect, participate in discussions regarding, or otherwise have access to the protected material unless such individual has been designated a reviewing representative in accordance with the provisions of paragraph 8. Protected material shall not be used except as necessary for the conduct of this proceeding; nor shall it be

disclosed in any manner to any person except a reviewing representative who is engaged in the conduct of this proceeding and who needs to know the information in order to carry out that person's responsibilities in this proceeding. Reviewing representatives may make notes of protected material.

8. Reviewing representatives shall be designated in accordance with the provisions of this paragraph.

(a) A reviewing representative may be an individual who is:

(i) An author, addressee, or originator of the protected material, but only with respect to confidential information to which such person previously had access;

(ii) Commission trial staff and other Commission staff involved in this proceeding;

(iii) An attorney who has made an appearance in this proceeding for a participant;

(iv) Attorneys, paralegals, and other employees associated for purposes of this case with an attorney described in (iii), above;

(v) Subject to the requirements of subparagraph (b), an unaffiliated expert or an employee of an unaffiliated expert retained by a participant for the purpose of advising, preparing for or testifying in this proceeding;

(vi) Subject to the requirements of subparagraph (b), an employee of a participant; or

(vii) A person designated as a reviewing representative by order of the administrative law judge or the Commission.

(b) Unless otherwise agreed by the producing party or ordered by the administrative law judge, an unaffiliated expert (or employee thereof) or an employee of a participant (other than the Commission) directly involved in, or having direct or supervisory responsibilities with respect to, the purchase, sale, brokering, or marketing of electricity (including transmission service) at retail or wholesale or the negotiation or development of participation or cost-sharing arrangements for transmission or generation facilities shall not be a reviewing representative.

(c) A participant may designate an individual as a reviewing representative by giving the producing party seven calendar-days advance notice. Such notice period shall commence upon receipt by the producing party of an executed nondisclosure certificate in the form attached hereto. During such seven calendar-day notice period, the producing party may object that the individual designated is not qualified to be a reviewing representative under subparagraphs (a) or (b) above, as applicable. Only if the producing party does not serve such objection(s) on the participant during the seven calendar-day notice period, may protected material be disclosed to the individual(s) covered by the notice, in accordance with such notice and this Protective Order. If the producing party does serve such objection(s) on the participant during the seven calendar-day notice period, protected material shall not be disclosed to the

individual(s) objected to pending resolution of the dispute by the parties or, if they are unable to resolve the dispute, by the administrative law judge.

(d) In the event that a participant wishes to designate as a reviewing representative a person not authorized under paragraphs (a) and (b) of this paragraph, the participant shall seek agreement from the producing party. If no agreement is reached, the participant shall submit the disputed designation to the administrative law judge.

9. Attorneys qualified as reviewing representatives are responsible for ensuring that persons under their instruction, supervision or control comply with this Protective Order.

10. Any party affiliated with the Commission or any other office, agency or department of the Commonwealth shall treat protected material as within the exemptions from disclosure provided in the Pennsylvania Right-to-Know Act, as set forth at 65 P.S. Section 66.1(2), until such time as the information is no longer subject to this Protective Order. Any party 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 party subject to this paragraph pursuant to either the Pennsylvania Right-to-Know Act or FOIA, the party receiving such request shall notify the producing party immediately and give the producing party 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 this notice will be sent to the requester. In the event that a suit is filed against the Commission or a party subject to this paragraph under the Pennsylvania Right-to-Know Act or FOIA seeking to compel disclosure of protected material, the Commission or the affected party shall immediately notify the producing party of such suit.

11. 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.

12. 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, "PROTECTED MATERIAL;"

(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) Filed under seal, exempt from Sections 1.71 through 1.76 of the Commission's Rules of Administrative Practice and Procedure providing 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), 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. Counsel are admonished to take all reasonable precautions necessary to assure protected material are distributed only to reviewing representatives designated in accordance with this Protective Order.

13. No participant may use protected material in any public hearing held in this proceeding without first providing seven calendar-days advance notice to the producing party, designating precisely the protected material it seeks to use. If a producing party objects to such use, the producing party and all participants participating in the public hearing shall 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 they 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, in accordance with the procedures of paragraph 12. If a producing party that has

received notice pursuant to this paragraph that a participant intends to use designated protected material in a public hearing fails object to such use, the material so designated shall no longer be subject to this Protective Order.

14. All protected material filed with the Commission, the administrative law judge, any United States court or any state court, or any other judicial or administrative body in support of or as a part of a motion, other pleading, brief, or other document, shall be filed and served in sealed envelopes or other appropriate containers bearing prominent markings indicating that the contents include protected material subject to this Protective Order.

15. Each participant governed by this Protective Order has the right, on notice to the other participants, to seek changes in it as appropriate from the administrative law judge, the Commission, or the courts. In addition, after giving the participants an opportunity to be heard on a proposal to change this Protective Order, the administrative law judge may change this Protective Order upon determination that the change is appropriate in the interests of justice or necessary for the orderly conduct of the proceeding.

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 material 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.

17. Nothing in this Protective Order shall be construed as precluding any participant from objecting to the use of protected material on grounds other than confidentiality, including the lack of required relevance. Nothing in this Protective Order shall be construed as an agreement by any participant that the material designated as protected material should be protected. Nothing in this Protective Order shall be construed as limiting any participant's right to object to any discovery request.

18. Nothing in this Protective Order shall be deemed to preclude any participant from independently seeking through discovery in any other administrative or judicial proceeding information or material produced in this proceeding under this Protective Order.

19. 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

**NONDISCLOSURE CERTIFICATE**

I certify my understanding that access to protected material is provided to me pursuant to the terms and restrictions of the Protective Order in Docket No. R-00973954 and that I have been given a copy of and have read that Protective Order and agree to be bound by it. 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 that Protective Order and shall be used only for the purpose of the proceeding in Docket No. R-00973954. I understand and acknowledge that a violation of this certificate constitutes a violation of an order of Pennsylvania Public Utility Commission.

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

\_\_\_\_\_  
Name (Print or Type)

\_\_\_\_\_  
Title

\_\_\_\_\_  
Participant Represented

\_\_\_\_\_  
Date

LEGAL SERVICES



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April 29, 1997

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KJR

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

VIA FEDERAL EXPRESS MAIL

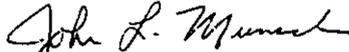
Prothonotary  
Pennsylvania Public Utility Commission  
North Office Building, Room B20  
Harrisburg, PA 17105-3265

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

Dear Prothonotary:

Please find enclosed an original and three (3) copies of the Motion for Admission Pro Hac Vice on behalf of Allegheny Power.

Very truly yours,

  
John L. Munsch  
Attorney

Enclosures

cc: Certificate of Service

VIA FEDERAL EXPRESS MAIL

Honorable George M. Kashi  
Administrative Law Judge  
Pennsylvania Public Utility Commission  
North Office Building, Room B20  
Harrisburg, PA 17105-3265

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BEFORE THE

PENNSYLVANIA PUBLIC UTILITY COMMISSION

APR 29 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

APPLICATION OF PENNSYLVANIA POWER :  
AND LIGHT FOR APPROVAL OF ITS :  
RESTRUCTURING PLAN UNDER SECTION 2806 : DOCKET NO. R-00973954  
OF THE PUBLIC CODE UTILITY CODE :

MOTION FOR ADMISSION PRO HAC VICE

Pursuant to Rule 301 of the Pennsylvania Bar Admission Rules, Movant, John L. Munsch, Esquire, respectfully moves that Clinton A. Vince, Esquire; Paul E. Nordstrom, Esquire; and Deborah A. Swanstrom, Esquire, be admitted to appear as attorneys on behalf of Allegheny Power for the purpose of representing Allegheny Power in the above-captioned proceeding. In support thereof, Movant avers as follows:

1. Movant, John L. Munsch, is an active member in good standing of the Pennsylvania Bar having been admitted in January of 1980.

2. Clinton A. Vince, Esquire, has been a member in good standing of the New York Bar since 1975, and the District of Columbia Bar since 1976. Mr. Vince is a partner in the law firm of Verner, Liipfert, Bernhard, McPherson & Hand, located at 901 15th Street, N.W., Washington, DC 20005.

3. Paul E. Nordstrom, Esquire, has been a member in good standing of the District of Columbia Bar since 1982. Mr. Nordstrom is a partner in the law firm of Verner, Liipfert, Bernhard, McPherson & Hand, located at 901 15th Street, N.W., Washington, DC 20005.

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MAY 01 1997

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4. Deborah A. Swanstrom, Esquire, has been a member in good standing of the Maryland Bar since 1988, and the District of Columbia Bar since 1989. Ms. Swanstrom is an associate in the law firm of Verner, Liipfert, Bernhard, McPherson & Hand, located at 901 15th Street, N.W., Washington, DC 20005.

4. Mr. Vince, Mr. Nordstrom and Ms. Swanstrom have experience and particular expertise in the area of public utility and energy law. They have represented clients in matters of electric and gas rates before the FERC and state regulatory commissions. Mr. Vince, Mr. Nordstrom and Ms. Swanstrom seek special admission before this forum for the purpose of representing their client, Allegheny Power, in this regulatory matter.

WHEREFORE, I respectfully move that Clinton A. Vince, Paul E. Nordstrom and Deborah A. Swanstrom be admitted to practice Pro Hac Vice in this proceeding.

Respectfully submitted,

Dated: April 29, 1997

By: John L. Munsch  
John L. Munsch, Esquire  
800 Cabin Hill Drive  
Greensburg, PA 15601  
412-838-6210

Attorney for  
ALLEGHENY POWER  
PA I.D. No. 31489

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

APPLICATION OF PENNSYLVANIA POWER :  
AND LIGHT FOR APPROVAL OF ITS :  
RESTRUCTURING PLAN UNDER SECTION 2806 : DOCKET NO. R-00973954  
OF THE PUBLIC CODE UTILITY CODE :

CERTIFICATE OF SERVICE

I hereby certify that I have this 29th day of April 1997, served the foregoing Motion for Admission Pro Hac Vice upon the following:

Paul E. Russell  
Associate General Counsel  
Pennsylvania Power & Light Company  
Two North Ninth Street  
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Senior Prosecutor  
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Scott H. DeBroff, Esquire  
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Stephen J. Selden, Esquire  
Assistant General Counsel  
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Eighth & Eaton Avenues  
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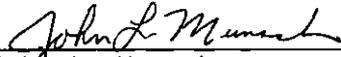
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Noel H. Trask, Esquire  
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Preston Gates Ellis & Rouvelas  
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412-838-6210  
Attorney for  
ALLEGHENY POWER  
PA I.D. No. 31489

KJH

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BOWMAN & LOMBARDO**

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(609) 663-0021  
FAX (609) 663-1590

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GUNTHER O. CARRLE\*  
C. GRAINGER BOWMAN  
BRUCE D. LOMBARDO  
RICHARD B. ASHENFELTER, JR.  
JONATHAN K. HOLLIN  
LAWRENCE A. BORDA\*  
NEH. P. CLAIN, JR.\*  
JOEL P. PERILSTEIN\*  
MARK S. MCKAIN\*  
ETHAN N. HALBERSTADT\*  
DAVID T. BOLGER†  
RICHARD J. DAVIES\*\*  
KEVIN B. WATSON\*  
DAVID W. FRANCIS  
FREDERICK P. WARNER\*  
STEVEN G. BARDSLÉY\*  
ROBERT E. BALLARD\*  
MICHAEL W. WINFIELD\*  
ANDREW B. CLAUS  
SALIL P. PATEL\*  
MICHELE F. CONTE\*  
BRADFORD J. SANDLER\*

April 29, 1997

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97 APR 29 PM 3:35  
PA. P.U.C.  
PROTHONOTARY'S OFFICE  
Harrisburg  
PLEASE REPLY TO:

VIA HAND DELIVERY

**ORIGINAL**

\*ALSO ADMITTED IN NJ  
†ALSO ADMITTED IN NC  
\*ALSO ADMITTED IN MD  
\*ALSO ADMITTED IN DE  
\*ALSO ADMITTED IN DC  
†ALSO ADMITTED IN FL  
\*ALSO ADMITTED IN NY  
\*ALSO ADMITTED IN KY

James J. McNulty  
Office of the Prothonotary  
Pa. Public Utility Commission  
Harrisburg, PA 17105

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

Dear Prothonotary McNulty,

Enclosed are an original and four copies of Caradon Mideast Aluminum, a Division of Caradon America Inc.'s and Metal Industries, Inc.'s Joint Petition to Intervene in the above captioned matter. Please time stamp the extra copy and return.

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

Very Truly Yours,

POWELL, TRACHTMAN, LOGAN, CARRLE,  
BOWMAN & LOMBARDO, P.C.

By   
David W. Francis

DWF/mak  
cc: Certificate of Service List

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FOLDER

37

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN THE MATTER OF PENNSYLVANIA  
POWER & LIGHT COMPANY'S  
RESTRUCTURING PLAN

DOCKET NO. R-00973954

**ORIGINAL**

**CARADON MIDEAST ALUMINUM, A DIVISION OF CARADON AMERICA INC.'S  
AND METAL INDUSTRIES INC.'S JOINT PETITION TO INTERVENE**

1. The names and addresses of Petitioners are as follows:

- a. Caradon Mideast Aluminum  
a division of Caradon America Inc.  
330 Elmwood Road  
Crestwood Industrial Park  
Mountaintop, PA 18707-0098  
(hereinafter "Caradon")
- b. Metal Industries, Inc. of California  
Route 209  
Elizabethville, PA 17023  
(hereinafter "MI")

2. Petitioners' attorney is:

David W. Francis  
Powell, Trachtman, Logan, Carrle,  
Bowman & Lombardo, P.C.  
114 North Second Street  
Harrisburg, PA 17101  
(717) 238-9300

3. On April 1, 1997 Pennsylvania Power and Light Company ("PP&L") filed its restructuring plan ("PP&L's plan") pursuant to the provisions of the Electricity Generator Customer Choice and Competition Act.

4. PP&L's plan calls for, inter alia, a significant change in the way PP&L will be

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required to calculate interruptible power for all customers served on the interruptible rate. Specifically, PP&L's plan calls for the deletion of the definition of interruptible power from each interruptible rate schedule. Currently, the tariff requires PP&L to calculate interruptible power as "the twelve month average of each customer's monthly Maximum On-peak demand less the customer's contract Firm power level." Under PP&L's plan, PP&L will calculate interruptible power as the highest on-peak demand for each customer in the previous 12-months less the customer's contract firm power level.

5. In the direct testimony of Mr. Oliver Kasper submitted to the Commission, he stated,

The Company consistently has calculated the amount of available interruptible load as a customer's maximum actual annual demand (in any 12-month period) and the customer's firm contract demand. This is consistent with the underlying purpose of interruptible load (to reduce peak demand) and how the Company calculates interruptible load as a capacity reserve obligation in the Pennsylvania-New Jersey-Maryland Interconnection. Unfortunately, the definition of the cap in the Company's tariff has created some confusion and has led some customers to propose a substantially different method for calculating interruptible load based upon 12-month monthly average data. This alternative definition is inconsistent with how the Company has always calculated interruptible load, completely at odds with the purpose of and need for interruptible load, and substantially understates the amount of interruptible load on the Company's system. If this alternative definition were adopted, it would force the Company to contract for excessive amounts of interruptible load to the detriment of the Company and its other customers. To avoid continued controversy, the Company seeks to remove the definition from the tariff.

6. Upon information and belief, the customers who have allegedly proposed a substantially different method for calculating interruptible load are, Caradon and MI.

7. Presently pending before the Commission at Docket Nos. C-00968031 and C-

00968275 are complaints filed by Caradon and MI against PP&L which request, inter alia, that PP&L be required to retroactively place Caradon and MI on the interruptible rate commensurate with their respective requests for interruptible power in September, 1995. PP&L admits that the twelve month average of each customer's monthly maximum on-peak demand less the customer's contract firm power level has never exceeded the 500 MW cap in the tariff. Nevertheless, PP&L refused to place Caradon, MI and others on the rate despite requests for interruptible service.

8. Caradon and MI dispute that the methodology they propose (and currently required) for the calculation of interruptible power is inconsistent with the underlying purpose of interruptible load or substantially understating the amount of interruptible load on the Company's system. To the contrary, according to PP&L's methodology, PP&L will continue to carry a customer's interruptible load for the purposes of the 500 MW cap even if the resource is no longer available. By way of example, according to PP&L's methodology, it continued to count Bethlehem Steel's basic oxygen furnace interruptible capacity toward the 500 MW cap for 12 full months after it closed. Accordingly, PP&L's methodology substantially overstates the amount of interruptible load being carried on the system.

9. Caradon and MI also dispute that PP&L has always calculated interruptible power according the methodology set forth in the plan.

10. Upon information and belief, PP&L is attempting to litigate issues presented in the MI and Caradon litigation in this collateral proceeding.

11. Any determination in this matter supporting PP&L's proposed "underlying purpose and intent of interruptible load" or methodology for calculating interruptible load may

have a substantially adverse impact upon the matters at Docket Nos. C--00968031 and C-00968275.

12. Further, any determination in this matter supporting PP&I's proposed methodology for calculating interruptible load may have a substantially adverse impact upon Caradon's and MI's ability to increase their interruptible power requirements through economic development.

13. Caradon's and MI's interests are not adequately represented by the existing participants in the proceeding.

WHEREFORE, Caradon and MI request that they be permitted to intervene in this matter.

POWELL, TRACHTMAN, LOGAN, CARRLE,  
BOWMAN & LOMBARDO, P.C.

By   
David W. Francis

Date: April 29, 1997

**CERTIFICATE OF SERVICE**

AND NOW, on April 29, 1997, I hereby certify that I have served a true and correct copy of the within **Petition** upon the following person(s) by regular first class United States mail, postage prepaid.

David B. MacGregor, Esq.  
Morgan, Lewis & Bockius  
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Billie Ramsey  
1300 Market Street, Suite 7  
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PA Power & Light Company  
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David M. DeSalle  
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Bethlehem, PA 18016

Cynthia Fordham, ALJ  
PA Public Utility Commission  
Broad and Spring Garden Streets  
1302 South Office Building  
Philadelphia, PA 19130

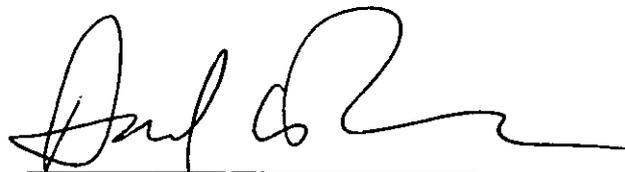
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2900 Eisenhower Ave., Suite 300  
Alexandria, VA 22314



David W. Francis

# American Energy Solutions, Inc.

California • Kansas • Ohio • Pennsylvania • Virginia

April 29, 1997

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VIA FEDERAL EXPRESS

APR 29 1997

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

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

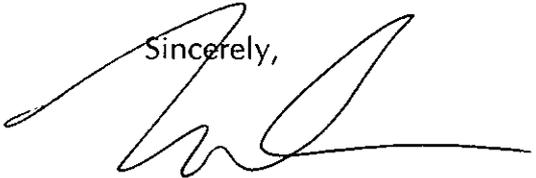
Re: Docket No. R-00973954

ORIGINAL

Dear Prothonotary McNulty:

Enclosed for filing in the above-referenced proceeding are an original and sixteen (16) copies of the Petition to Intervene of American Energy Solutions, Inc. Kindly acknowledge receipt hereof by time-stamping an extra copy of the Petition and returning it to us in the self-addressed stamped envelope provided.

Sincerely,



Michael L. Kessler  
Vice President and General Counsel

cc: Service List

DOCUMENT  
FOLDER

47

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

\_\_\_\_\_) )  
Application of Pennsylvania Power & Light )  
Company for Approval of its Restructuring )  
Plan Under Section 2806 of the Public )  
Utility Code. )

Docket No. R-00973954

APR 29 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

**ORIGINAL**

**PETITION TO INTERVENE OF  
AMERICAN ENERGY SOLUTIONS, INC.**

Pursuant to Section 5.72 of the Commission's Rules of Practice and Procedure, 52 Pa. Code § 5.72, American Energy Solutions, Inc. ("American Energy™") respectfully submits this petition to intervene in the above-captioned proceeding. In support, American Energy states as follows:

1. American Energy provides consulting, regulatory, and energy procurement and management services on behalf of wholesale and retail energy consumers nationwide. American Energy, which has received its power marketer certificate from the Federal Energy Regulatory Commission, is and will be providing such services to energy consumers in the Commonwealth of Pennsylvania, including customers in the service territory of Pennsylvania Power & Light Company ("PP&L"). The ability of American Energy to provide such services may be adversely affected by PP&L's proposed Restructuring Plan submitted in this docket, as further described below.<sup>1</sup>

<sup>1</sup> American Energy is completing its licensing application for submission to the Commission consistent with the recently enacted Electricity Generation Customer Choice and Competition Act (the "Act").

**DOCKETED**  
MAY 05 1997

**DOCUMENT  
FOLDER**

2. All notices and communications to American Energy with respect to this proceeding should be sent to:

Michael L. Kessler  
Vice President and General Counsel  
American Energy Solutions, Inc.  
111 South Alfred Street  
Alexandria, VA 22314  
(703) 684-1006  
(703) 683-3256 fax

3. In the instant proceeding, PP&L seeks permission of the Commission to implement its proposed Restructuring Plan (the "Restructuring Plan") pursuant to Section 2806(D) of the Act and the Commission's Order at Docket No. M-00960890 (the "Order"). In its Order, the Commission offered interested parties the opportunity to file comments, complaints, protests, interventions or other proceedings in response to specific Restructuring Plans such as that being presented by PP&L. As a customer-oriented provider of energy procurement and management services, including marketing and aggregation services, American Energy may be adversely affected by the Restructuring Plan as presented by PP&L.

4. Specifically, PP&L has proposed, in an extensive filing and supporting documentation, to establish "unbundled" retail rates and the level of recovery of stranded costs, among other matters. The Commission's determinations with respect to each of these matters will affect the ability of American Energy to effectively compete with PP&L and to provide the consumers of Pennsylvania the types of benefits contemplated by the Act.

WHEREFORE, American Energy Solutions, Inc. respectfully requests that it be granted leave to intervene and file these comments in the above-captioned proceeding.

Respectfully submitted,



---

Michael L. Kessler  
Vice President and General Counsel  
American Energy Solutions, Inc.  
111 South Alfred Street  
Alexandria, VA 22304  
(703) 684-1006

Dated: April 29, 1997

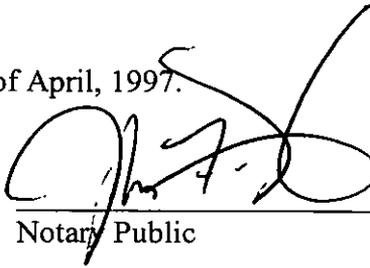
**AFFIDAVIT**

Michael L. Kessler, being duly sworn according to law, deposes and says that he is General Counsel for American Energy Solutions, Inc. in this proceeding, that in this capacity he is authorized to and does make this Affidavit for them, and that the facts set forth in the foregoing Petition to Intervene are true and correct to the best of his knowledge, information and belief.



Michael L. Kessler

Sworn and subscribed to me this 29<sup>th</sup> day of April, 1997.



Notary Public

My Commission Expires 7/31/99

RECEIVED

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

APR 29 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

\_\_\_\_\_)  
Application of Pennsylvania Power & Light )  
Company for Approval of its Restructuring )  
Plan Under Section 2806 of the Public )  
Utility Code. )  
\_\_\_\_\_)

Docket No. R-00973954

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the foregoing document upon the participants, listed below, in accordance with the requirements of § 1.54 of the Commission's Rules of Practice and Procedure.

George Kashi, ALJ  
Pennsylvania Public Utility Commission  
Room G-8A, North Office Building  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Christopher B. Craig, Esq.  
Office of Senator Vincent Fumo  
Room 545  
Main Capitol Building  
Harrisburg, PA 17120

John Povllaltis, Esq.  
Pennsylvania Public Utility Commission  
Law Bureau  
P.O. Box 3265  
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Noel H. Trask, Esq.  
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1302 Philadelphia State Office Building  
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Pennsylvania Public Utility Commission  
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Office of the Judge Advocate General  
Department of the Army  
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MSB Energy Associates  
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Vice President  
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Harrisburg, PA 17120

Lisa Yoho  
Director of Regulatory Affairs  
The Eastern Group, Inc.  
2900 Eisenhower Avenue, Suite 300  
Alexandria, VA 22314

Mr. Craig R. Kuennen  
Energy Services Manager  
Commission on Economic Opportunity  
211 South Main Street  
Wilke-Barre, PA 18701-1596

Mr. Eric J. Epstein  
2308 Brandywine Drive  
Harrisburg, PA 17110

Stephen L. Huntoon  
Mary McFall Hopper  
2301 Market Street, S23-1  
Philadelphia, PA 19103

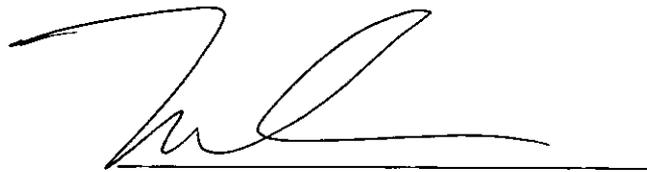
D. Jane Drennan, Esq.  
Sarah E. Tomalty, Esq.  
Drennan & Associates  
1216 16th Street, N.W.  
Washington, DC 20036

Wayne M. Thomas, Esq.  
Kohn, Nast & Graff, PC  
1101 Market Street, 24th Floor  
Philadelphia, PA 19107

Scott J. Rubin, Esq.  
Counsel for IBEW 1600  
3 Lost Creek Drive  
Sellingsrove, PA 17870

Dated this 29th day of April, 1997.

Counsel for:  
American Energy Solutions, Inc.

A handwritten signature in black ink, appearing to read 'Michael L. Kessler', written over a horizontal line.

Michael L. Kessler



**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

DOCUMENT  
FOLDER

April 29, 1997

ORIGINAL

KJR

RECEIVED

APR 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

**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/dlw*

Paul E. Russell

Attachment

**ORIGINAL**

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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

**RECEIVED**

**DOCKETED**  
**MAY 01 1997**

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

APR 29 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 Consumer Advocate's Interrogatories, Set II numbered 1 through 20, 23 through 34, 39 through 41, and 44, upon the active participants listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

**DOCUMENT  
FOLDER**

**Federal Express**

Johnnie Simms, Esquire  
Office Of Trial Staff  
Pennsylvania Public Utility Commission  
Third Floor, Pitnick Building  
901 North Seventh Street - Rear  
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Tanya A. McCloskey, Esquire  
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Office Of Small Business Advocate  
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Office Of The Judge Advocate General  
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Arlington, VA 22203-1837

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Lemoyne, PA 17043

Eric Epstein  
2308 Brandywine Drive  
Harrisburg PA 17710

Robert F. Young  
Deputy General Counsel  
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P. O. Box 1266  
Harrisburg, PA 17108-1266

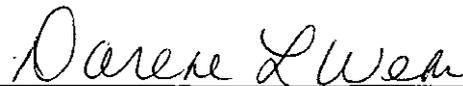
Michael A. Stosser, Esquire  
Heller Ehrman White & McAuliffe  
815 Connecticut Avenue, N.W.  
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600 N. Dairy Ashford, ML-1034  
Houston, TX 77079

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Schnader, Harrison, Segal & Lewis  
Suite 3600  
1600 Market Street  
Philadelphia, PA 19103-4252

Richard LaCapra  
Henry Yoshimura  
LaCapra Associates  
The Province Building  
333 Washington Street  
Boston, MA 02108

Dated this 29th day of April, 1997.



---

Dorene L. Wehr

COMMONWEALTH OF PENNSYLVANIA

KJR

DATE: April 30, 1997

SUBJECT: R-00973954

TO: Office of Administrative Law Judge

FROM: *WJE* John G. Alford, Secretary

PENNSYLVANIA POWER & LIGHT COMPANY'S  
RESTRUCTURING PLAN

---

Attached is copy of a Petition to Intervene of Eric Joseph Epstein filed in connection with the above docketed proceeding.

This matter is assigned to your Office for appropriate action.

Attachment

cc: OTS

wjz

DUCKETED  
APR 30 1997

DOCUMENT  
FOLDER

**ORIGINAL**  
*Thomas, Thomas, Armstrong & Niesen*  
*Attorneys and Counsellors at Law*

CHARLES E. THOMAS  
CARROLL F. PURDY  
CHARLES E. THOMAS, JR.  
D. MARK THOMAS  
PATRICIA ARMSTRONG  
THOMAS T. NIESEN  
JOHN A. ALZAMORA  
REGINA L. MATZ

SUITE 500  
212 LOCUST STREET  
P. O. BOX 9500  
HARRISBURG, PA 17108-9500

FIRM (717) 255-7600  
FAX (717) 236-8278  
(VERIFY (717) 255-7616)

OF COUNSEL  
JOHN E. FULLERTON  
JACK F. ASCHINGER  
(1914-1995)

WRITER'S DIRECT DIAL NUMBER  
717/255-7627

**DOCUMENT  
FOLDER**

April 30, 1997

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

**RECEIVED**  
97 APR 30 PM 2:54  
P.A.P.U.C.  
PROTHONOTARY'S OFFICE

In re: Application of Pennsylvania Power & Light Company For Approval of a  
Restructuring Plan  
Docket No. R-00973954

Dear Prothonotary McNulty:

Enclosed for filing on behalf of Allegheny Electric Cooperative, Inc. are an original and three (3) copies of Thomas, Thomas, Armstrong & Niesen's Entry of Appearance as co-counsel with Messrs. Adonizio and Young in the above referenced proceeding. Copies have been served in accordance with the attached Certificate of Service.

Very truly yours,

**THOMAS, THOMAS, ARMSTRONG & NIESEN**

By *Patricia Armstrong*  
Patricia Armstrong

Encls.

cc: Certificate of Service  
Robert F. Young (w/encl.)

\\CLIENTS\UTILITY\PREAIR-973954\LETTER\043097.LTR

**ORIGINAL**

Before the  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re: :  
Application of Pennsylvania Power :  
& Light Company For Approval Of : Docket No. R-00973954  
A Restructuring Plan :

**CERTIFICATE OF SERVICE**

I hereby certify that I have this 30th day of April, 1997, served a true and correct copy of the foregoing Entry of Appearance upon the persons and in the manner listed below:

**HAND DELIVERY**

Honorable George M. Kashi  
Administrative Law Judge  
Pennsylvania Public Utility  
Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Craig R. Burgraff  
Barrett C. Sheridan  
James A. Mullins  
Office of Consumer Advocate  
1425 Strawberry Square  
Harrisburg, PA 17120

Johnnie E. Simms  
Scott H. Debroff  
Office of Trial Staff  
Pennsylvania Public Utility  
Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**FIRST CLASS MAIL, POSTAGE  
PREPAID**

Alan J. Barak  
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Harrisburg, PA 17112

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P.O. Box 231  
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Paul E. Russell, Esquire  
Pennsylvania Power & Light Company  
2 North 9th Street  
Allentown, PA 18101-1179

Joan O. Brandeis, Esquire  
Schnader, Harrison, Segal & Lewis  
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Philadelphia, PA 19103-4252

Craig A. Doll, Esquire  
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P.A.P.U.C.  
PROTHONOTARY'S OFFICE

Gene Stilp, Coordinator  
1550 FCVR  
Harrisburg, PA 17112-9240

  
Patricia Armstrong

Before the  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re: :  
Application of Pennsylvania Power :  
& Light Company For Approval Of : Docket No. R-00973954  
A Restructuring Plan :

ENTRY OF APPEARANCE

AND NOW, comes, Thomas, Thomas, Armstrong & Niesen and enters its appearance as co-counsel with Messrs. Adonizio and Young on behalf of Allegheny Electric Cooperative, Inc. in the above-referenced proceeding. In addition to serving Messrs. Adonizio and Young, also send all notices, orders and documents or other materials involving this docket to:

Patricia Armstrong, Esquire  
Regina L. Matz, Esquire  
THOMAS, THOMAS, ARMSTRONG & NIESEN  
212 Locust Street  
P.O. Box 9500  
Harrisburg, PA 17108-9500

DOCUMENT  
FOLDER

DOCKETED  
MAY 02 1997

*Patricia Armstrong*  
Patricia Armstrong

RECEIVED  
97 APR 30 PM 2:54  
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PROTHONOTARY'S OFFICE

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ATTORNEYS AT LAW

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SAMUEL A. SCHRECKENGAUST, JR.

BRUCE D. BAGLEY  
ALAN R. BOYNTON, JR.  
ERIC L. BROSSMAN  
ROBERT M. CHERRY  
LOUIS A. DEJOIE  
DAVID B. DISNEY  
MICHAEL A. DOCTROW  
ELIZABETH A. DOUGHERTY  
HARVEY FREEDENBERG  
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MICHAEL G. JARMAN  
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JOHN S. OYLER  
GARY A. RITTER  
DANA STEVENS SCADUTO  
RICHARD W. STEVENSON  
DIANE M. TOKARSKY  
CATHERINE E. WALTERS  
DAVID M. WATTS, JR.  
STEVEN J. WEINGARTEN  
NEAL S. WEST  
NORMAN I. WHITE  
LAWRENCE R. WIEDER  
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RICHARD J. BIEL  
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JAMES P. DEANGELO  
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BRIAN E. KAMOIE  
MICHAEL R. KELLEY  
PETER F. KRIETE  
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

DOCUMENT  
FOLDER

Writer's Direct Dial:  
(717) 237-5368  
E-Mail: [ppolacek@mwn.com](mailto:ppolacek@mwn.com)

April 30, 1997

RECEIVED  
97 APR 30 PM 59  
PA.P.U.C.  
PROTHONOTARY'S OFFICE  
KJR

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 each of the PP&L Industrial Customer Alliance Interrogatories, Sets II and III, 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:

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

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

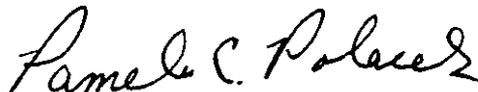
Please communicate any objections or questions that you may have to these interrogatories as quickly as possible.

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

DOCKETED

MAY 02 1997

PCP/

Enclosures

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

DOCUMENT  
FOLDER

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, Sets II and III 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

Joan O. Brandeis, Esquire  
Schnader, Harrison, Segal & Lewis  
Suite 3600  
1600 Market Street  
Philadelphia, PA 19103-4252

Paul E. Russell  
Associate General Counsel  
Pennsylvania Power & Light Company  
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Alan J. Barak, Esquire  
Alan J. Barak, PC  
Penn Energy Project  
1417 Blue Mountain Parkway  
Harrisburg, PA 17112

Mr. Robert D. Knecht  
Industrial Economics Incorporated  
2067 Massachusetts Avenue  
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Alan Kohler, Esquire  
Robert Longwell, Esquire  
Wolf, Block, Schorr and Solis-Cohen  
305 North Front Street, Suite 401  
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Barrett C. Sheridan  
James A. Mullins  
Assistant Consumer Advocate  
Office of Consumer Advocate  
1425 Strawberry Square  
Harrisburg, PA 17120

Enron Corporation  
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P.O. Box 4428  
Houston, TX 77002

Richard LaCapra  
Henry Yoshimura  
LaCapra Associates  
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Boston, MA 02108

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Office of Small Business Advocate  
PA Public Utility Commission  
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Neil Talbot  
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**CERTIFICATE OF SERVICE**

**Page 2**

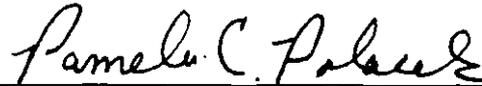
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Pamela C. Polacek, Esq.

Counsel to PP&L Industrial Customer Alliance

Dated this 30th day of April, 1997, at Harrisburg, Pennsylvania.

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Writer's Direct Dial:  
(717) 237-5368  
E-Mail: [ppolacek@mwn.com](mailto:ppolacek@mwn.com)

KJR

April 30, 1997

To: All Parties of Record

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 Party of Record:

The PP&L Industrial Customer Alliance, a complainant in the above-referenced proceeding, has retained the consultant services of J. Kennedy and Associates, Inc. Accordingly, we request that you add our consultants to your service lists for all discovery, pleadings and testimony, addressed as follows:

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

If you have any questions with respect to this matter, please contact me at your convenience.

DOCKETED

MAY 02 1997

Very truly yours,

McNEES, WALLACE & NURICK

By

*Pamela C. Polacek*

Pamela C. Polacek

Counsel to the PP&L Industrial Customer Alliance

PCP/ah

c: Mr. Stephen J. Baron  
Prothonotary James J. McNulty

RECEIVED  
97 APR 30 PM 3:39  
P.A. FICCO  
PROTHONOTARY  
OFFICE

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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**Page 2**

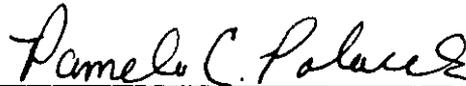
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P.O. box 231  
Wilmington, DE 19899



Pamela C. Polacek, Esq.

Counsel to PP&L Industrial Customer Alliance

Dated this 30th day of April, 1997, at Harrisburg, Pennsylvania.

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April 30, 1997

James J. McNulty, Esquire  
Deputy Prothonotary  
Pennsylvania Public Utility Commission  
206 North Office Building  
Harrisburg, Pennsylvania 17105-3265

ORIGINAL  
AJR

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

Dear Mr. McNulty:

Enclosed for filing with the Commisison in the above captioned proceeding are an original and three (3) copies of the Petition to Intervene of Metropolitan Edison Company and Pennsylvania Electric Company, individually and collectively trading as GPU Energy.

Copies of this petition are being served upon the parties of record in this proceeding and the presiding Administrative Law Judges, as shown on the attached Certificate of Service.

Please do not hesitate to contact me if you have any questions regarding this filing.

Very truly yours,

*Terrance J. Fitzpatrick*

Terrance J. Fitzpatrick

TJF/cc

Enclosure

cc: Honorable George M. Kashi  
All parties of record

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97 APR 30 PM 3:45  
P.A.P.U.C.  
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DOCUMENT  
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62

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 : Docket No. R-00973954  
Utility Code :

PETITION TO INTERVENE OF GPU ENERGY

Metropolitan Edison Company ("Met-Ed") and Pennsylvania Electric Company ("Penelec"), individually and collectively trading as GPU Energy, file this Petition to Intervene in the above-referenced matter involving the Application of Pennsylvania Power & Light ("PP&L") for approval of its restructuring plan under § 2806 of the Public Utility Code. In support of this Petition, filed pursuant to this Commission's regulations at 52 Pa.Code § 5.71, GPU states as follows:

1. GPU Energy is the trade name for Met-Ed and Penelec, two jurisdictional public utilities providing generation, transmission, distribution and related services to retail customers in portions of the Commonwealth of Pennsylvania.

2. GPU Energy's principal place of business is located at:

2800 Pottsville Pike  
Reading, PA 19640-0001

3. GPU Energy will be represented in this proceeding by Ryan, Russell, Ogden and Seltzer, and specifically by the individuals listed below:

Terrance J. Fitzpatrick, Esquire  
David M. DeSalle, Esquire  
RYAN, RUSSELL, OGDEN & SELTZER LLP  
800 North Third Street, Suite 101  
Harrisburg, PA 17102-2025  
Phone: (717) 236-7714

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97 APR 30 PM 3:45  
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MAY 05 1997

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The aforesaid counsel request that they be placed on the official service list for all documents filed by any of the parties in this proceeding.

4. On December 3, 1996, Governor Tom Ridge signed into law the Electricity Generation Customer Choice and Competition Act ("Act"), 66 Pa.C.S. §§ 2801-2812, that provides for the restructuring of the electric industry in Pennsylvania.

5. Section 2806(d) of the Act requires all electric utilities in the Commonwealth to submit restructuring plans to the Commission, on the schedule established by the Commission, beginning on April 1, 1997 and ending no later than September 30, 1997.

6. PP&L filed the instant Application for approval of its restructuring plan with this Commission on April 1, 1997 in accordance with §2806 of the Act.

7. GPU Energy consists of two of the seven major electric utilities in the Commonwealth which are subject to the provisions of the Act, including the requirement to file a Restructuring Plan pursuant thereto.

8. The Commission has scheduled GPU Energy to file its Restructuring Plan on June 1, 1997.

9. Over the next few months all of the electric utilities in the Commonwealth will be filing with the Commission applications for approval of Restructuring Plans under the Act. Certain issues of first impression will or may arise in these proceedings, and the Commission's resolution of these issues in the earlier proceedings could have a precedential impact on later proceedings, although GPU Energy contends that the Commission should resolve many of these issues or policies on a case-by-case basis due to the importance of the issues to each utility and its customers, the complexity of the issues, the short time frames for the Commission's decisions, and the significantly different circumstances facing the Commonwealth's electric utilities.

10. PP&L's restructuring proceeding will address the methodology and procedures for projecting future competitive market prices, calculating a utility's stranded costs, and determining the recoverability of stranded costs, among other issues.

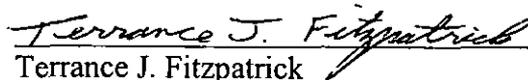
11. GPU Energy's participation in this proceeding as an active party is necessary to protect its substantial and unique interests with regard to certain issues under the Act that will or may be raised in the proceeding.

12. GPU Energy's intervention will not unduly burden the record in this proceeding. GPU Energy's participation in this proceeding will be limited to establishing its position on certain issues that will also be present in GPU Energy's restructuring proceeding.

13. GPU Energy was granted leave to intervene in PECO Energy Company's Application for a Qualified Rate Order, Docket No. R-00973877.

WHEREFORE, for all the foregoing reasons, Metropolitan Edison Company and the Pennsylvania Electric Company, doing business as GPU Energy, respectfully request that this Commission grant this Petition and approve their intervention as an active party of record in this proceeding.

Respectfully submitted,

  
Terrance J. Fitzpatrick  
David M. DeSalle  
RYAN, RUSSELL, OGDEN & SELTZER LLP  
800 North Third Street, Suite 101  
Harrisburg, PA 17120  
Phone: (717) 236-7714

Attorneys for  
Metropolitan Edison Company and  
Pennsylvania Electric Company, doing  
business as GPU Energy

### Certificate of Service

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

Honorable George M. Kashi  
Administrative Law Judge  
P.O. Box 3265  
Harrisburg, PA 17120

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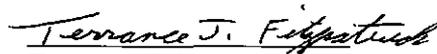
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Dated this April day of 30, 1997

  
Terrance J. Fitzpatrick

**VOUGH & MECADON**

ATTORNEYS AT LAW

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GIRARD J. MECADON, ESQUIRE\*

\*ALSO ADMITTED IN WASHINGTON, D.C.

CAROL A. KOMENSKY, PARALEGAL  
CHRISTINE L. KASKEL, PARALEGAL

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April 30, 1997

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

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

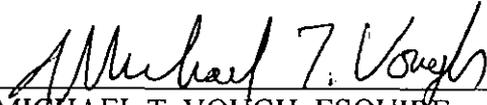
KJR

Dear Sir/Madam:

Please find enclosed one (1) original and three (3) copies of the Complaint that I wish to file on behalf of The Commission on Economic Opportunity (CEO). In conjunction with this filing, I will serve the Complaint upon the appropriate parties to this matter. Thank you in advance for your professional courtesy in this regard.

Very truly yours,

VOUGH & MECADON

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

MTV/gss

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97 MAY - 1 AM 10:41

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97 MAY -1 AM 10:41

COMMONWEALTH OF PENNSYLVANIA RECEIVED  
BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSIONS OFFICE

FORMAL COMPLAINT

BEFORE THE

ORIGINAL

PENNSYLVANIA PUBLIC UTILITY COMMISSION

FORMAL COMPLAINT, PROTEST, AND PETITION TO INTERVENE  
OF THE COMMISSION ON ECONOMIC OPPORTUNITY  
REGARDING PENNSYLVANIA POWER & LIGHT COMPANY'S  
RESTRUCTURING PLAN FILING DOCKET NUMBER R-00973954

For Commission Use Only:

COMPLAINT DOCKET NO. \_\_\_\_\_ REF. # \_\_\_\_\_  
UTILITY CODE \_\_\_\_\_

DOCKETED

MAY 05 1997

PLEASE PRINT:

1. YOUR NAME, ADDRESS AND TELEPHONE NUMBER.

Name: Commission on Economic Opportunity of Luzerne County  
Street: 165 Amber Street  
City: Wilkes-Barre State: Pennsylvania Zip: 18702  
County: Luzerne Work Telephone - Area Code (717) 826-0510

DOCUMENT  
FOLDER

ATTORNEY'S NAME, ADDRESS AND TELEPHONE NUMBER.

Name: Michael T. Vough, Esquire  
Street: Greater Pittston Professional Center, 126 South Main Street  
City: Pittston State: Pennsylvania Zip: 18640-1793  
County: Luzerne Work Telephone - Area Code (717) 654-6499

2. COMPANY YOU ARE COMPLAINING ABOUT

Name: Pennsylvania Power & Light Company

For Commission Use Only

DATE FILED \_\_\_\_/\_\_\_\_/\_\_\_\_ MONITOR \_\_\_\_\_ BUREAU \_\_\_\_\_

**3. WHAT IS YOUR COMPLAINT? (DESCRIBE PROBLEM)**

BACKGROUND:

1. On April 1, 1997, Pennsylvania Power & Light Company (hereinafter 'PP&L') filed their Restructuring Plan pursuant to the Commission' Order dated February 13, 1997, under the Customer Choice Act (66 Pa.C.S. §§ 2801 *et seq.*) which was signed into law on December 3, 1996 (HB 1509, as amended).
2. Among other things, PP&L's proposed Restructuring Plan sets forth a number of features and procedures to offer and fund Universal Service and Energy Conservation policies, activities, and services in keeping with the requirements of the Act, Commission, and the Commission's restructuring guidelines. The Commission assigned this matter docket number R-00973954.
3. By their filing, PP&L seeks authority from the Commission to implement its proposed Restructuring Plan, including its proposed Universal Service and Energy Conservation policies, activities, and services.
4. The Commission Order which occasioned this filing provided that:
  - a. "the Legislature intended that the Commission and interested parties would carefully and completely examine the data and explore the important issues involved in each of [the] Section 2806(d) filings" (p.7);
  - b. the Act requires "open evidentiary proceedings", (p.7);
  - c. restructuring filings must, "contain full discussion and detailed information on how the plan complies with regard to the legislative directives contained in 66 PaC.S. §§ 2804, 2806, 2807, 2808, 2809, and 2811, to the extent those directives are related to transition and restructuring of the utility" (p.7); and
  - d. "jurisdictional utilities filing such plans have the burden of proof with regard to such compliance." (p.7).

INTERESTS:

**5. SUMMARY OF POSITIONS**

We approach Pennsylvania Power & Light Company's filing as one of PP&L's electric customers, as well as a community based organization dedicated to helping low income citizens within our community and throughout the Commonwealth satisfy their energy, housing, and

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**DATE FILED** \_\_\_\_/\_\_\_\_/\_\_\_\_ **MONITOR** \_\_\_\_\_ **BUREAU** \_\_\_\_\_

other daily needs. Upon review of PP&L's Restructuring Plan filing, it is our determination that PP&L's proposed Universal Service and Energy Conservation Programs are inadequate and insufficient to meet the requirements of the Customer Choice Act and the Commission's Order of February 13, 1997 with respect to service offerings, eligibility requirements, program expenditures, and proposed cost recovery mechanisms.

We urge the Commission to deny the Restructuring Plan's approval until satisfactory resolution of these issues.

## 6. DESCRIPTION OF THE COMMISSION ON ECONOMIC OPPORTUNITY

The Commission on Economic Opportunity (CEO) is a nonprofit organization serving the low income and elderly in Northeastern Pennsylvania. It is part of our responsibility to advocate for their interests in matters that affect their ability to afford basic life necessities. The issue of electric competition is extremely important for the people we serve because low income and elderly rate payers are most at risk and least equipped to address these issues, and that is why we have been an active participant in Pennsylvania's electric industry restructuring process since its beginnings.

CEO has significant experience in the energy field. Over the years, the experience and expertise of CEO's staff in energy programs have been recognized on both state and national levels. We have weatherized twenty-three thousand (23,000) homes under the U.S. Department of Energy Weatherization Assistance Program, and our efforts in this area have been recognized by receipt of a Superior Achievement Award from the United States Department of Energy hereinafter 'DOE'). In addition to our work with DOE, we serve as a subcontractor for the Pennsylvania Power & Light Company's WRAP program and the Low Income Usage Reduction Programs operated by the Pennsylvania Gas & Water Company and UGI Gas and Electric Divisions. Through these aforementioned programs, we have weatherized another five thousand (5,000) homes in Luzerne, Schuylkill, Carbon, Monroe, Pike, Northumberland, and Wayne Counties.

We pioneered the use of computerized air sealing (BlowerDoor) equipment and infrared technology in conjunction with Princeton University. This resulted in the common use of these technologies in energy conservation programs. We organized and presented training sessions for Energy Assistance Providers in the Mid-Atlantic region on innovative approaches to serving the low income population. Also, under contract with the Pennsylvania Department of Public Welfare, we trained service providers statewide in community network development, resource mobilization and program implementation for the Low Income Home Energy Assistance Program.

In conjunction with the Pennsylvania Department of Community Affairs, we organized and delivered a training conference on energy conservation and energy education for utility companies and Weatherization providers statewide. In addition to organizing and presenting

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**DATE FILED** \_\_\_\_/\_\_\_\_/\_\_\_\_ **MONITOR** \_\_\_\_\_ **BUREAU** \_\_\_\_\_

conferences and workshops, our expertise has been recognized by invitations to present workshops and panel discussions at numerous state and national conferences on low income energy issues.

THE COMMISSION ON ECONOMIC OPPORTUNITY'S POSITIONS

7. Our preliminary examination of PP&L's Restructuring Plan filing indicates that we are concerned with the following issues and therefore maintain the following positions:
- a. Service Offerings: The breadth of PP&L's Universal Service and Energy Conservation Program services are insufficient and fail to comply with the requirements of § 2804(7) of the Customer Choice Act which requires that "restructuring be implemented in a manner that does not unreasonably discriminate against one customer class to the benefit of another," and are insufficient and fail to comply with the requirements of § 2804(9) which requires, "that universal service and energy conservation policies, activities and services [be] appropriately funded and available in each electric distribution territory."
  - b. Eligibility Requirements: PP&L's proposed Universal Service and Energy Conservation Program eligibility requirements are inconsistent with and fail to comply with the requirements of § 2804(7) of the Customer Choice Act which requires that, "restructuring be implemented in a manner that does not unreasonably discriminate against one customer class to the benefit of another," and are inconsistent with and fail to comply with the requirements of § 2804(9) which requires, "that universal service and energy conservation policies, activities and services are appropriately funded and available in each electric distribution territory."
  - c. Program Expenditures: PP&L's proposed annual Universal Service and Energy Conservation Program expenditure levels are inconsistent with and fail to comply with the requirements of § 2804(9) which requires, "that universal service and energy conservation policies, activities and services are appropriately funded and available in each electric distribution territory."
  - d. Cost Recovery Mechanism: PP&L's proposed Universal Service and Energy Conservation Program Cost recovery mechanism is inconsistent with and fails to comply with the requirements of § 2804(7) of the Customer Choice Act which requires that, "restructuring be implemented in a manner that does not unreasonably discriminate against one customer class to the benefit of another," are inconsistent with and fail to comply with the requirements set forth in § 2804(8) which requires that each utility "establish an appropriate cost recovery

**For Commission Use Only**

**DATE FILED** \_\_\_\_ / \_\_\_\_ / \_\_\_\_ **MONITOR** \_\_\_\_\_ **BUREAU** \_\_\_\_\_

mechanism which is designed to fully recover the electric utility's universal service and energy conservation costs over the life of these programs," and are inconsistent with and fail to comply with the requirements of § 2804(9) which require that, "[p]olicies, activities and services be funded in each electric distribution territory by non-bypassable, competitively neutral cost recovery mechanisms that fully recover the costs of universal service and energy conservation services."

8. We reserve the right to raise other issues and other positions as they may arise during the course of the proceedings.

**4. WHAT DO YOU WANT US TO DO?**

WHEREFORE, the Commission on Economic Opportunity (CEO) respectfully requests that the Pennsylvania Public Utility Commission:

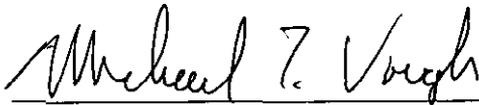
- a. Receive for filing and docket this Formal Complaint, Protest, and Intervention;
- b. Order that the Commission on Economic Opportunity be a party to such proceedings, that it be placed on the service file, and that each party to the proceedings provide it with all papers filed therein;
- c. Grant the relief requested in this Formal Complaint, Protest, and Intervention;
- d. Grant all other relief to which the Commission on Economic Opportunity is entitled; and
- e. Grant such other relief which the Commission may deem to be necessary and proper.

**YOU MUST SIGN AND DATE YOUR COMPLAINT**

The information that I have placed on this form is true and correct to the best of my knowledge. I understand that I could be punished under Pennsylvania State Law if I purposely give false information.

**SIGNATURE OF THE COMPLAINANT'S ATTORNEY**

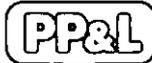
Respectfully Submitted and Verified,



MICHAEL T. VOUGH, ESQUIRE  
Attorney for the Commission On Economic Opportunity  
Dated: April 30, 1997

**For Commission Use Only**

**DATE FILED** \_\_\_/\_\_\_/\_\_\_ **MONITOR** \_\_\_\_\_ **BUREAU** \_\_\_\_\_



**Pennsylvania Power & Light Company**

Two North Ninth Street • Allentown, PA 18101-1179 • 610/774-6151

**ORIGINAL**

**RECEIVED**

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

APR 30 1997

FAX: 610/774-6726

April 30, 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

KJR

**VIA FEDERAL EXPRESS**

**DOCUMENT  
FOLDER**

**RECEIVED**

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

APR 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 matter, please call.

Very truly yours,

Paul E. Russell

Attachment

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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

APR 30 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 III numbered 1 through 13, 15 through 37 and 40 through 93 and Set IV numbered 1 through 4, 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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Pennsylvania Public Utility Commission  
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MAY 05 1997

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12510 Prosperity Drive  
Silver Spring, MD 20904

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

Dated this 30th day of April, 1997.

A handwritten signature in black ink, appearing to read "Paul E. Russell". The signature is written in a cursive style with a horizontal line extending to the right across the signature.

Paul E. Russell

COMMONWEALTH OF PENNSYLVANIA

DATE: May 1, 1997

KJA

SUBJECT: R-00973954

TO: Office of Administrative Law Judge

FROM: *WP* John G. Alford, Secretary

PENNSYLVANIA POWER & LIGHT FOR APPROVAL OF ITS  
RESTRUCTURING PLAN

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Attached is copy of a Petition to Intervene of Metropolitan Edison Company, Pennsylvania Electric Company; American Energy Solutions, Inc.; and Caradon Mideast Aluminum, a Division of Caradon America Inc.'s and Metal Industries, Inc.'s Joint Petition filed in connection with the above docketed proceeding.

This matter is assigned to your Office for appropriate action.

Attachment

cc: OTS

wjz

DOCKETED

MAY 05 1997

DOCUMENT  
FOLDER