

COMMONWEALTH OF PENNSYLVANIA

DATE: July 3, 1997

MEM

SUBJECT: R-00973954

TO: Office of Administrative Law Judge

FROM: James J. McNulty, Deputy Prothonotary *ddt*

Attached is a copy of a Petition to Intervene filed by Electric Clearinghouse, Inc.

This Petition is being assigned to your Office for appropriate action.

Attachment

cc: Office of Trial Staff

ddt

JACKETED  
JUL 07 1997

DOCUMENT  
FOLDER

COMMONWEALTH OF PENNSYLVANIA

DATE: July 3, 1997

MEM

SUBJECT: R-00973954

TO: Office of Administrative Law Judge

FROM: James J. McNulty, Deputy Prothonotary *ddt*

Attached is a copy of a Petition to Intervene filed by The Environmentalists.

This Petition is being assigned to your Office for appropriate action.

Attachment

cc: Office of Trial Staff

*ddt*

JACKETED  
JUL 07 1997

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COMMONWEALTH OF PENNSYLVANIA

DATE: July 3, 1997

MEM.

SUBJECT: R-00973953  
R-00973954

TO: Office of Administrative Law Judge

FROM: James J. McNulty, Deputy Prothonotary *ddt*

Attached is a copy of a Petition to Intervene filed by Vastar Power Marketing, Inc.

This Petition is being assigned to your Office for appropriate action.

Attachment

cc: Office of Trial Staff

ddt

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JUL 07 1997

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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

FAX: 610/774-6726

RECEIVED

JUL 10 1997

July 10, 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARYS OFFICE

**VIA FEDERAL EXPRESS**

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

KJR

**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*

Paul E. Russell

Attachment

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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JUL 10 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 Allegheny Power's Interrogatories, Set 3, Questions 17 and 18 upon the active participants listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

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Dated this 10th day of July, 1997.

  
\_\_\_\_\_  
Tammy A. Albenzi

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DIRECT DIAL NUMBER:  
(717) 237-7172

July 14, 1997

MEM

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

RECEIVED  
PROTHONOTARY'S OFFICE  
97 JUL 15 AM 8:36

Dear Paul:

Please be informed that we have discovered an error in two of the schedules attached to Enron Statement No. 6, Testimony of Paul Reising. Enclosed please find revised copies of Exhibit 3, PDR-6, Schedule 1 and Exhibit 3, PDR-6, Schedule 2. Please replace the schedules attached to Enron's direct testimony as filed.

If you have any questions or concerns regarding this matter feel free to contact the undersigned at your convenience.

JOCKETED  
JUL 21 1997

Very truly yours,

*Alan Kohler*

Alan Kohler

For WOLF, BLOCK, SCHORR and SOLIS-COHEN

JOCKETED  
JUL 21 1997

ACK/cln  
Enclosures  
cc: Hon. George M. Kashi (w/encl.)  
James McNulty, Acting Prothonotary (w/o encl.)  
Parties of Record

DOCUMENT  
FOLDER

DSH:9275.1

COMMONWEALTH OF PENNSYLVANIA

DATE: July 15, 1997

KJR

SUBJECT: R-00973954

TO: Office of Administrative Law Judge

FROM: *WJZ* James J. McNulty, Acting Secretary

R-00973954 PENNSYLVANIA POWER & LIGHT COMPANY  
RESTRUCTURING PLAN

---

Attached is copy of Quaker Oats Company's Petition to Join as a Party to the Intervention of Cardon Mideast Aluminum and Metal Industries, Inc. filed in connection with the above docketed proceeding.

This matter is assigned to your Office for appropriate action.

**DOCKETED**  
JUL 16 1997

Attachment

cc: OTS

wjz

**DOCUMENT  
FOLDER**

LAW OFFICES  
**POWELL, TRACHTMAN, LOGAN, CARRLE,  
BOWMAN & LOMBARDO**

A PROFESSIONAL CORPORATION

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JOEL P. PERILSTEIN\*  
MARK S. MCKAIN\*  
ETHAN N. HALBERSTADT\*  
DAVID T. BOLGER‡  
RICHARD J. DAVIES\*\*  
KEVIN B. WATSON\*\*  
DAVID W. FRANCIS  
FREDERICK P. WARNER\*  
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MICHAEL W. WINFIELD°  
ANDREW B. CLAUSS  
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MICHELE F. CONTE\*  
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MICHAEL J. MARANSKY\*

\*ALSO ADMITTED IN NJ  
‡ALSO ADMITTED IN NC  
°ALSO ADMITTED IN MD  
°ALSO ADMITTED IN DE  
°ALSO ADMITTED IN DC  
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\*ALSO ADMITTED IN NY  
\*ALSO ADMITTED IN KY

July 15, 1997

PLEASE REPLY TO:

Harrisburg

PROTHONOTARY'S OFFICE  
P.A.P.U.C.

KJR

97 JUL 15 AM 9:36

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VIA HAND DELIVERY

**ORIGINAL**

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

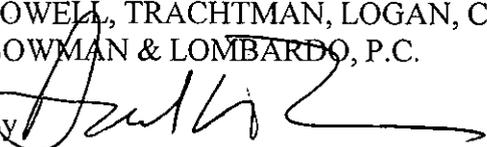
**RE: The Quaker Oats Company v. Pennsylvania Power & Light Company;**  
**Docket No. R-00973 954**

Dear Mr. McNulty:

Enclosed for filing is an original and four copies of The Quaker Oats Company's Petition to Join as a Party to the Intervention of Caradon Mideast Aluminum and Metal Industries, Inc. Please time stamp the extra copy and return. Please note that a courtesy copy is being sent to Administrative Law Judge George M. Kashi.

Very truly yours,

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

By 

David W. Francis

DWF/mak

Enclosures

cc: ALJ George M. Kashi  
Service List

2343.1

DOCUMENT  
FOLDER

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

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

DOCKET NO. R-00973954

THE QUAKER OATS COMPANY'S PETITION TO JOIN AS A PARTY TO THE  
INTERVENTION OF CARADON MIDEAST ALUMINUM AND  
METAL INDUSTRIES, INC.

1. The name and address of Petitioner is:

The Quaker Oats Company  
P.O. Box 3040  
Shiremanstown, PA 17011

2. Petitioner's attorney is:

David W. Francis  
Powell, Trachtman, Logan, Carrle,  
Bowman & Lombardo  
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 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 required 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 the

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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 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 calculated 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 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 understated 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 the interruptible load includes The Quaker Oats Company.

7. Presently pending before this Commission is a complaint filed by Quaker Oats against PP&L with requests, *inter alia*, that PP&L be required to retroactively place Quaker on the interruptible rate commensurate with the respective requests for interruptible power in January, 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.

8. Quaker Oats disputes that the methodology it proposes (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 overstated the amount of interruptible load being carried on the system.

9. Quaker Oats also disputes that PP&L has always calculated interruptible power according to the methodology set forth in the plan.

10. Upon information and belief, PP&L is attempting to resolve claims by companies such as Quaker in this proceeding without their participation.

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 Quaker's claim.

12. Further, any determination in this matter supporting PP&L's proposed methodology for calculating interruptible load may have a substantially adverse impact upon Quaker Oats' ability to increase its interruptible power requirements through economic development.

13. On April 29, 1997 Caradon Mideast Aluminum, a division of Caradon America Inc., ("Caradon") and Metal Industries, Inc. ("Metal Industries") filed a petition to intervene in this matter. Both are interruptible customers who presently have pending before the Commission complaints requesting a retroactive application of the interruptible rate in accordance with the current language of the tariff.

14. On June 17, 1997 an Order was entered granting Caradon and Metal Industries petition to intervene.

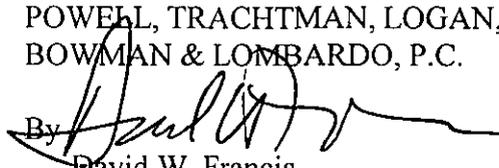
15. Quaker Oats' petition is to join Caradon and Metal Industries intervention, in so far as they have similar interests in this case. However, in the event Caradon and Metal Industries were to resolve their differences with PP&L between now and trial, Quaker Oats interests would not be adequately represented by the existing participants in the proceedings.

16. Quaker Oats shares counsel with Caradon and Metal Industries; accordingly it is anticipated that Quaker's participation in this case will be jointly with Caradon and Metal Industries, and that there will no other impact to this case.

WHEREFORE, Quaker Oats company respectfully requests that they be permitted to join in the intervention of Caradon Mideast Aluminum and Metal Industries in this matter.

Respectfully Submitted,

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

By 

David W. Francis  
Pa. I.D. No. 53718  
114 North Second Street  
Harrisburg, PA 17101  
(717) 238-9300

DATE: July 15, 1997

**CERTIFICATE OF SERVICE**

I hereby certify that on July 15, 1997, a copy of the Quaker Oats Company's Petition to Join As A Party to the Intervention of Caradon Mideast Aluminum and Metal Industries, Inc. was served upon the following person(s) by first class U.S. Mail, postage prepaid.

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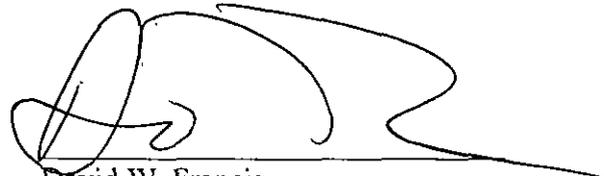
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Andrew Altman, Deputy Director  
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P.A.F.U.C.  
PROTHONOTARY'S OFFICE



David W. Francis

Date: July 15, 1997



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

July 15, 1997

IN REPLY PLEASE  
 REFER TO OUR FILE

MEM

DOCUMENT  
 FOLDER

Y. Raj Loonkar, Ph.D.  
 Managing Director  
 Wyeth-Ayerst Laboratories  
 P. O. Box 304  
 Marietta, PA 17547

Dear Dr. Loonkar:

Thank you for your recent letter to Chairman Quain and Commissioner Brownell of the Pennsylvania Public Utility Commission regarding the Pennsylvania Power and Light Company's proposed extension of its Industrial Development Incentive docketed at R-00973954. Your letter was referred to me for a response because this is an on-the-record proceeding and the Commissioners are precluded by statute from commenting on the merits of the proposal.

Please know that I have forwarded a copy of your letter to the Prothonotary's Office for inclusion in the official file on the proceeding.

Again, thank you for taking the time to share your views on this important issue.

Sincerely,

*Rosemary Chiavetta*  
 Rosemary Chiavetta, Esquire  
 Director of Legislative Affairs

cc: Chairman Quain  
 Commissioner Brownell  
 Prothonotary's Office ✓

P.A.P.U.C.  
 PROTHONOTARY'S OFFICE

97 JUL 16 AM 9:33

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WYETH-AYERST  LABORATORIES

P.O. BOX 304, MARIETTA, PA 17547 • (717) 426-1941

DOCUMENT  
FOLDER

June 9, 1997

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JUN 16 1997

The Honorable John M. Quain, Chairman  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

CHAIRMAN QUAIN'S  
OFFICE

Dear Chairman:

In its Electricity Retail Access Restructuring Filing, Docket Number R-00973954, Pennsylvania Power & Light Company proposes an extension of its Industrial Development incentive. Wyeth Laboratories supports this proposal.

Wyeth is a large producer of influenza vaccine and other injectable medicines in Marietta, PA. During peak production at this facility, there are approximately 950 employees.

Wyeth is evaluating the economics of a significant expansion at Marietta. One of the positive factors in this evaluation is PP&L's Industrial Development Incentive (IDI). The continuance of this incentive will positively influence the long-term development of our industrial facility and the increase of jobs at Marietta.

We request you to approve PP&L's proposal to extend the IDI because it will produce industrial development and job increases for Pennsylvanians.

DOCKETED

JUL 18 1997

Sincerely,



WYETH-AYERST LABORATORIES  
Y. Raj Loonkar, Ph.D.  
Managing Director

RL/psh

cc: Dr. Ronald Thiboutot  
Mr. Chuck Blardone  
Mr. Nick English

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97 JUL 16 AM 9:33  
F.A.P.U.C.  
PROTHOROTARY'S OFFICE

*rl*

P.O. BOX 304, MARIETTA, PA 17547 • (717) 426-1941

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June 9, 1997  
JUN 16 1997

COMMISSIONER BROWNELL'S  
OFFICE

The Honorable Nora M. Brownell, Commissioner  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Dear Commissioner:

In its Electricity Retail Access Restructuring Filing, Docket Number R-00973954, Pennsylvania Power & Light Company proposes an extension of its Industrial Development incentive. Wyeth Laboratories supports this proposal.

Wyeth is a large producer of influenza vaccine and other injectable medicines in Marietta, PA. During peak production at this facility, there are approximately 950 employees.

Wyeth is evaluating the economics of a significant expansion at Marietta. One of the positive factors in this evaluation is PP&L's Industrial Development Incentive (IDI). The continuance of this incentive will positively influence the long-term development of our industrial facility and the increase of jobs at Marietta.

We request you to approve PP&L's proposal to extend the IDI because it will produce industrial development and job increases for Pennsylvanians.

Sincerely,

*Y. Raj Loonkar*

WYETH-AYERST LABORATORIES  
Y. Raj Loonkar, Ph.D.  
Managing Director

RL/psh

cc: Dr. Ronald Thiboutot  
Mr. Chuck Blardone  
Mr. Nick English

RECEIVED  
97 JUL 16 AM 9:33  
P.A.P.U.D.  
PROTHONOTARY'S OFFICE

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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

---

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

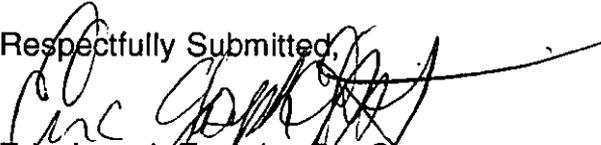
KJR

Dear Judge Kashi:

Enclosed please find an additional copy of my Petition to Intervene on April 21, 1997. Consistent with the Petition, I have only an interest in cross-examining PP&L's witnesses who have presented testimony relating to the stranded costs of nuclear decommissioning at the Susquehanna Electric Steam Station. These witnesses include: Mr. Joseph M. Kleha; Mr. Joseph R. Schadt; and possibly, Mr. Thomas La Guardia from TLG. These are the only witnesses for which I have prepared a brief and concise cross-examination.

I respectfully request permission to remain independent and offer a brief cross-examination of the above named witnesses.

Respectfully Submitted,

  
Eric Joseph Epstein, Pro Se  
2308 Brandywine Drive  
Harrisburg, PA 17110  
(717)-541-1101

Dated: July 15, 1997

DOCKETED  
DOCUMENT FOLDER  
JUL 28 1997

PA PUC  
PROTHONOTARY'S OFFICE

97 JUL 21 AM 9:24

RECEIVED

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In the Matter of Pennsylvania Power & Light :  
Company's Restructuring Plan : Docket No. P-00973954  
:

---

**PETITION TO INTERVENE OF ERIC JOSEPH EPSTEIN  
2308 Brandywine Drive  
Harrisburg, PA 17110**

---

Eric Joseph Epstein ("Petitioner"), hereby moves pursuant to 52 Pa. Code S 5.71, to intervene on the above-captioned "Restructuring Plan" proceeding initiated by Pennsylvania Power and Light Company ("PP&L.")

1. Mr. Epstein is a PP&L rate payer and shareholder.
  
2. The Petitioner was an active participant in the most recent PP&L Base Rate Proceedings, Docket No. R-00943271C0024.
  
3. Mr. Epstein's contributions to the Base Rate Proceedings were recognized by the Honorable Robert A. Christianson, Administrative Law Judge: "... I appreciate Mr. Epstein's role in this proceeding. I suggest that Mr. Epstein has played a useful and beneficial role with respect to nuclear power and the regulation of nuclear power by state and federal governments." (Recommended Decision, Robert A. Christianson, Administrative Law Judge, July 28, 1995, p. 183.)

4. Consistent with the Petitioner's interest in nuclear decommissioning and nuclear waste isolation, his active participation in the proceeding will focus on "stranded costs" associated with the "back-end" of nuclear power production.

5. Mr. Epstein's participation will include direct and/or rebuttal testimony and the cross examination of witnesses presented by PP&L and other parties.

WHEREFORE, Eric Joseph Epstein requests the right to intervene as an active party in this proceeding.

Respectfully submitted,

Eric Joseph Epstein, *Pro Se*  
2308 Brandywine Drive  
Harrisburg, PA 17110  
(717)541-1101  
(717)-541-5487 FAX

DATED: April 21, 1997

LAW OFFICES  
WOLF, BLOCK, SCHORR AND SOLIS-COHEN

305 N. FRONT STREET  
SUITE 401  
HARRISBURG, PA 17101-1236  
(717) 237-7160  
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97 JUL 17 AM 11:59

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PROTHONOTARY'S OFFICE

DIRECT DIAL NUMBER:  
(717) 237-7172  
**DOCUMENT  
FOLDER**

July 16, 1997

**DOCKETED**

**JUL 28 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

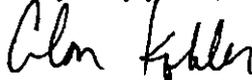
KJR

Dear Paul:

Please be informed that the reference to Enron Statement No. 6 in the attached letter is to Enron Statement No. 3.

If you have any questions or concerns regarding this matter feel free to contact the undersigned at your convenience.

Very truly yours,



Alan Kohler

For WOLF, BLOCK, SCHORR and SOLIS-COHEN

ACK/cjn

Enclosures

cc: Hon. George M. Kashi (w/encl.)  
James McNulty, Acting Prothonotary (w/o encl.)  
Parties of Record



ORIGINAL

OFFICE OF CONSUMER ADVOCATE  
1425 Strawberry Square  
Harrisburg, Pennsylvania 17120

KJR

IRWIN A. POPOWSKY  
Consumer Advocate

(717) 783-5048

July 18, 1997

DOCUMENT  
FOLDER

RECEIVED  
97 JUL 18 PM 3:35  
PA P.U.C.  
PROTHONOTARY'S OFFICE

James J. McNulty, Secretary  
PA Public Utility Commission  
Room B-20, North Office Bldg.  
Harrisburg, PA 17105-3265

Re: Pa. PUC v. Pennsylvania Power &  
Light Company, Docket No. R-00973954

Dear Secretary McNulty:

Enclosed for filing please find a Certificate of Service certifying that, on July 18, 1997, the Office of Consumer Advocate served upon Pennsylvania Power & Light Company and the other parties to the above-referenced case, the responses of the Office of Consumer Advocate to Interrogatories Set I, Numbers 26-30 addressed to Lee Smith.

Very truly yours,

Craig R. Burgraff  
Senior Assistant Consumer Advocate

Enclosures  
cc: All parties of record

DOCUMENT  
FOLDER

CERTIFICATE OF SERVICE

ORIGINAL

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

DOCKETED

JUL 28 1997

I hereby certify that I have this day served a true copy of the foregoing documents, OCA's Responses to Interrogatories Set I, Numbers 26-30, addressed to Lee Smith, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 18th day of July, 1997.

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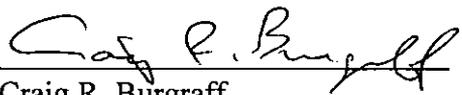
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(717) 783-5048  
41338

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PA.P.J.C.  
PROTHONOTARY'S OFFICE

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DAVID B. DISNEY  
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ELIZABETH A. DOUGHERTY  
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JAMES L. FRITZ  
W. JEFFRY JAMOUNEAU  
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WILLIAM M. YOUNG, JR.

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<http://www.mwn.com>

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JENNIFER L. BAKER  
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JAMES P. DOUGHERTY  
KATHLEEN A. DUNST  
DEBRA P. FOURLAS  
HELEN L. GEMMILL  
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Writer's Direct Dial:  
(717) 237-5368  
E-Mail: [ppolacek@mwn.com](mailto:ppolacek@mwn.com)

**DOCUMENT**  
**FOLDER** July 22, 1997

00000714  
KJR

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

**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**

97 JUL 23 AM 9:41  
REGISTERED  
PROTHONOTARY'S OFFICE

Dear Mr. Russell:

Enclosed are the responses of the PP&L Industrial Customer Alliance ("PPLICA") to Pennsylvania Power & Light Company's Interrogatories and Requests for Documents - Set I, Nos. 1 and 2 and Set II, Nos. 1-16, 20-23, 26-28, 30, 40, and 44-47.

Very truly yours,

McNEES, WALLACE & NURICK

*Pamela C. Polacek*

By

Pamela C. Polacek

Counsel to the PP&L Industrial Customer Alliance

PCP/clc

Enclosures

c: Certificate of Service  
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 Responses of PP&L Industrial Customer Alliance to Pennsylvania Power & Light Company's Interrogatories and Requests for Documents 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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Philadelphia, PA 19103-4252

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DOCUMENT  
FOLDER

Mr. Robert D. Knecht  
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JUL 29 1997

**CERTIFICATE OF SERVICE**

**Page 2**

**Docket No. R-00973954**

Johnnie E. Simms  
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**CERTIFICATE OF SERVICE**

**Page 3**

**Docket No. R-00973954**

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**CERTIFICATE OF SERVICE**

**Page 4**

**Docket No. R-00973954**

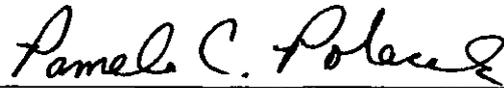
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Pamela C. Polacek, Esq.

Counsel to PP&L Industrial Customer Alliance

Dated this 22nd day of July, 1997, at Harrisburg, Pennsylvania.

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July 22, 1997

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

R-00 97B 954

RE: Application of PP&L for approval of Its Restructuring Plan;  
and Interrogatories submitted to the Commission On Economic  
Opportunity.

KJR

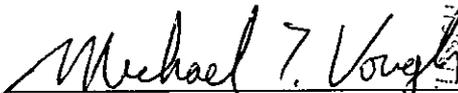
Dear Mr. Ryan:

Please find enclosed an original and three (3) copies of the Commission On Economic  
Opportunity's Answers to those Interrogatories propounded upon CEO/Michael Karp through the  
Office of the Small Business Advocate. Additionally, a copy has been sent to the OSBA  
consultant, Robert D. Knecht.

The enclosed certificate of service is enclosed to indicate service upon all parties of  
record. If you should have any questions regarding this or any other matter, please do not  
hesitate to contact me.

Very truly yours,

VOUGH & ASSOCIATES

  
MICHAEL T. VOUGH, ESQUIRE

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97 JUL 23 AM 8:45

enclosures

cc: Robert D. Knecht  
Prothonotary, Public Utility Commission  
Parties of Record

DOCUMENT  
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DOCUMENTED

JUL 29 1997

COMMONWEALTH OF PENNSYLVANIA  
BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE: R-00973954

PENNSYLVANIA POWER AND LIGHT  
APPLICATION FOR APPROVAL OF RESTRUCTURING PLAN

000084

THE COMMISSION ON ECONOMIC OPPORTUNITY'S  
ANSWERS VIA MICHAEL KARP TO THE INTERROGATORIES  
SUBMITTED BY THE OFFICE OF THE SMALL BUSINESS ADVOCATE

97 JUL 23 AM 8:15  
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PROTHM  
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OSBA-CEO-1:

Re your testimony at page 2, lines 20 to 21, please reconcile your view that the need for low income assistance programs will be higher during the transition period, with the rate cap provisions specified at §2804(4) of the Electricity Generation Customer Choice and Competition Act.

RESPONSE:

It is my view that should there be any benefits for low income households in Pennsylvania Power and Light service territory due to a restructured electrical industry, they will not show up on bills for many years. That is, if new generation is cheaper than existing generation, and if in fact the lower cost generation finds its way to low income consumers, it will take many years for that benefit to offset accelerated stranded cost recovery that consumers will undoubtedly be asked to pay. Additionally, it is very possible that large industrial customers will be able to "cut deals" with the utility that may result in lowered costs for them and consequent shifting of fixed cost responsibility to "captive" customers.

In order to offset the above, in the short term, all low income customers will be vulnerable to higher costs than they would have been exposed to prior to the Act. Existing levels of low income energy assistance are not adequate to serve all of those who need it. Consequently, my statement that the need for such assistance will be higher during the transition period.

The additional funding that could be available under the rate cap provisions as mentioned in my testimony is related to the outcome of stranded cost recovery for the Company. Should the Company recover less than 100% of their stranded costs, this may result in options within the existing rate cap for programs such as universal service.

OSBA-CEO-2:

Re your citation at page 4 lines 13 to 18:

a. Please detail all changes that you are proposing to PP&L's filing to address the cited problems for small business customers.

RESPONSE:

I am not representing small business interests as a witness in this proceeding and consequently am not proposing solutions for their needs. I was citing a section of the Executive Summary from a California based coalition used in their proceedings that lumped residential and small business customers together in being "captive" smaller customers that were unlikely to see benefits from a restructured electric industry if left to the market alone, without requiring intervention.

b. Should residential customers be asked to pay for education, conservation or other assistance programs for the small business customers who will face the referenced "cost increases" as a result of deregulation? Please explain your response.

RESPONSE:

I am not in the proceeding representing residential customers as a class of customers, that is the responsibility and expertise of the Office of Consumer Advocate. I am representing a subclass of customers within the residential class, low income customers. For those ratepayers, I am not in favor of them subsidizing assistance programs in general for other classes of customers, due to the fact that they cannot afford to do so. Having said that, I am aware that there are small business owners who are themselves low income. In those cases, I believe any subsidy should come to them as residential ratepayers, rather than as business owners. However, I believe that there are situations that may warrant certain types of assistance to small business customers to have costs borne by all parties. For example, if energy efficiency retrofits are financed by all ratepayers that are cheaper than the avoided cost of new generation, than all ratepayers will theoretically benefit and therefore would be a sound investment. If consumer education is done on a community wide basis and small businesses benefit as well as low income and other residential customers, that also makes sense

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, July 22, 1997, I served a true and exact copy of the Commission On Economic Opportunity's Answers to the Interrogatories submitted by the Office of the Small Business Advocate dated July 31, 1997 upon the active participants to this action listed below by providing the same via postage-paid, U.S.

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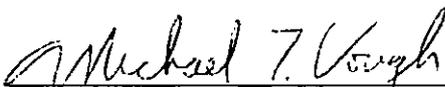
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July 22, 1997

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KJR

RE: Application of Pennsylvania Power & Light Company  
for Approval of its Restructuring Plan Under Section 280  
of the Public Utility Code, Docket No. R-00973954

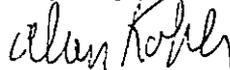
RECEIVED  
PROTHONOTARY'S OFFICE

97 JUL 23 AM 8:33

Dear Paul:

Enclosed please find Enron's fourth 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

**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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**JUL 29 1997**

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Dated: July 22, 1997