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September 16, 1997

Honorable George M. Kashi
Administrative Law Judge
Pennsylvania Public Utility Commission
Room G-08, North Office Building
Harrisburg, PA 17120

VIA HAND DELIVERY

DOCUMENT
FOLDER

RECEIVED
1 SEP 16 PM 1:52
PAPUC
HONORARY OFFICE

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 Judge Kashi:

Enclosed is an executed copy of the Interim Order regarding the Confidentiality Agreement issued in the above-captioned proceeding. This agreement has been executed by David M. Kleppinger on behalf of the PP&L Industrial Customer Alliance ("PPLICA"). I have sent a copy of this executed agreement to all the individuals named on the attached service list.

Very truly yours,

MCNEES, WALLACE & NURICK

By *Pamela C. Polacek*
Pamela C. Polacek

Counsel to the PP&L Industrial Customer Alliance

PCP/clc
Enclosure

c: Certificate of Service

James J. McNulty, Acting Secretary (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 document 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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DOCKETED

SEP 18 1997

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Page 2

Docket No. R-00973954

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CERTIFICATE OF SERVICE

Page 3

Docket No. R-00973954

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Pamela C. Polacek, Esq.

Counsel to PP&L Industrial Customer Alliance

Dated this 16th day of September, 1997, at Harrisburg, Pennsylvania.

RECEIVED
97 SEP 16 PM 3:52
P.A.P.U.C.
PROTHONOTARY'S OFFICE

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF SMALL BUSINESS ADVOCATE

Suite 1102, Commerce Building
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Harrisburg, Pennsylvania 17101

9-19-97
Signature page
inadvertently omitted
from mailing of 9-18-97

Bernard A. Ryan, Jr.
Small Business Advocate

September 18, 1997

(717) 783-2525
(717) 783-2831 (FAX)

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SEP 19 1997

Hon. George M. Kashi
Administrative Law Judge
Pa. Public Utility Commission
P.O. Box 3265
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KJR

Re: Application of PP&L for Approval of its
Restructuring Plan
Docket No. R-00973954

RECEIVED
97 OCT -8 AM 9:53
PROthonotary's OFFICE

Dear Judge Kashi:

In accordance with the Interim Order regarding Confidentiality Agreement issued on September 9, 1997, I have executed and dated the Agreement on behalf of the Office of Small Business Advocate.

Please contact me if you have any questions.

Sincerely,

Karen Oill Moury

Karen Oill Moury
Deputy Small Business Advocate

Enclosure
cc: Parties of Record

COPIES
OCT 16 1997

DOCUMENT
FOLDER

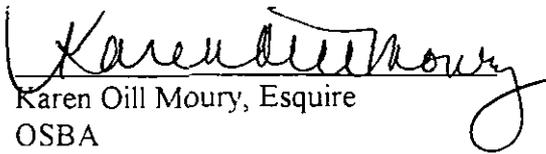
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Craig R. Burgraff, Esquire
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Date

Karen Oill Moury, Esquire
OSBA



Date

9/18/97

Michael L. Kessler, Esquire
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Date



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
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IN REPLY PLEASE
REFER TO OUR FILE

September 18, 1997

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SEP 18 1997

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

Office of Prothonotary
Public Utility Commission

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

DOCUMENT
FOLDER

Dear Judge Kashi:

Enclosed is an executed copy of the Interim Order regarding the Confidentiality Agreement issued in the above-captioned proceeding. This agreement has been executed by me on behalf of the Office of Trial Staff ("OTS"). A copy of this executed agreement has been sent to all the individuals on the attached service list.

If you have any questions, please contact me at (717) 787-1976.

DOCKETED
DEC 12 1997

Sincerely,

Johnnie E. Simms
Senior Prosecutor
Office of Trial Staff

Enclosures

cc: Parties of Record
James J. McNulty, Acting Secretary (transmittal letter and
Certificate of Service only)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**PENNSYLVANIA POWER & LIGHT :
COMPANY RESTRUCTURING PLAN : DOCKET NO. R-00973954
FILING :**

CERTIFICATE OF SERVICE

I hereby certify that I am serving the foregoing, *Interim Order Re Confidentiality Agreement* dated September 18, 1997, either personally, by first class mail or by Fax, upon the persons addressed below:

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P.O. Box 3265
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John E. Simms, Senior Prosecutor
Office of Trial Staff
Pennsylvania Public Utility Commission

Date: September 18, 1997
Docket No: R-00973954



Pennsylvania Power & Light Company

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

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FAX: 610/774-6726

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September 19, 1997

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RECEIVED
97 SEP 19 PM 4:15
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PROTHONOTARY'S OFFICE

Re: Application of Pennsylvania Power & Light Company For Approval of Its
Restructuring Plan Under Section 2806 of the Public Utility Code
Docket No. 8-00973954

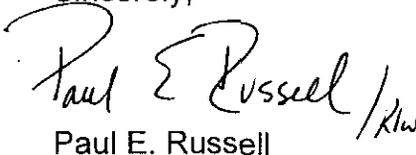
KJR

Dear Mr. McNulty:

Enclosed for filing in the above-captioned proceedings are an original and nine (9) copies of the Reply of Pennsylvania Power & Light Company to Consolidated Exceptions of The Quaker Oats Company and Mount Joy Wire Corporation. Also enclosed is an additional copy of the Company's Reply which we request that you date stamp and return to us as evidence of filing.

As indicated on the attached Certificate of Service, copies of the Company's Reply have been served on Administrative Law Judge George M. Kashi and all active parties of record.

Sincerely,


Paul E. Russell

PER/jta
Enclosures
cc: Certificate of Service

83

ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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

REPLY OF
PENNSYLVANIA POWER & LIGHT COMPANY
TO CONSOLIDATED EXCEPTIONS OF
THE QUAKER OATS COMPANY AND MOUNT JOY WIRE CORPORATION
TO THE INITIAL DECISION OF ALJ GEORGE KASHI
DENYING THEIR PETITIONS TO INTERVENE

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PROTHONOTARY'S

DOCUMENT
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I. INTRODUCTION

On September 8, 1997, The Quaker Oats Company ("Quaker Oats") and Mount Joy Wire Corporation ("Mount Joy") filed Consolidated Exceptions to the Initial Decision of Administrative Law Judge ("ALJ") George M. Kashi Denying Their Petitions to Intervene ("Exceptions") in this proceeding. Although PP&L took no position on the Petitions of Quaker Oats and Mount Joy before the ALJ, PP&L respectfully submits that the ALJ acted within his discretion in denying the belated efforts of Quaker Oats and Mount Joy to take an active role in these proceedings.

II. PROCEDURAL BACKGROUND

DOCKETED
SEP 23 1997

On May 30, 1996 and August 21, 1996, Caradon Mideast Aluminum ("Caradon") and Metal Industries, Inc. ("MI"), respectively, filed Complaints with the Commission seeking, inter alia, retroactive application of the interruptible rate option back to September 1995. Quaker Oats

and Mount Joy filed similar Complaints with the Commission on July 15 and 28, 1997, respectively.^{1/}

On April 1, 1997, PP&L filed its proposed Restructuring Plan at Docket No. R-00973954 (“Restructuring Case”) with the Commission. The Company’s Restructuring Plan proposes, inter alia, to remove the definition of interruptible power from its tariff.^{2/} That definition states that “[f]or the purpose of determining [PP&L’s total amount of interruptible power], interruptible power is the twelve month average of each customer’s monthly Maximum On-peak Demand less the customer’s contract Firm Power level.” As explained by Mr. Oliver G. Kasper in direct testimony submitted in this proceeding, PP&L proposes to remove this definition from the tariff because it 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

^{1/} Hereafter, Caradon, MI, Quaker Oats and Mount Joy will be referred to collectively as the “Interruptible Intervenors.”

^{2/} At page 19 of their Exceptions, Quaker Oats and Mount Joy argue that “there has not been a sufficient evidentiary record established to make a thorough determination as to whether PP&L’s proposal to change the way it calculates interruptible power is in the public interest” (emphasis added). Quaker Oats and Mount Joy mischaracterize the nature and effect of PP&L’s proposed tariff revision. PP&L’s proposal is intended only to clarify confusion among some of its customers. PP&L is not proposing to revise the way it calculates interruptible power. The Company will continue to calculate interruptible power using the same method it has always used.

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.

Direct Testimony of Oliver G. Kasper, p. 16.

ALJ Kashi issued an Interim Order on April 29, 1997 establishing a procedural schedule for the litigation of this case. That schedule established deadlines for opposing party testimony (July 2, 1997), PP&L rebuttal testimony (August 5, 1997), surrebuttal testimony (August 15, 1997), evidentiary hearings (August 18-29, 1997) and briefing (Initial Briefs, September 25, 1997; Reply Briefs, October 14, 1997; Exceptions, November 25, 1997; Replies to Exceptions, December 5, 1997). The schedule also provided for a Technical Conference (May 2, 1997), a Second Prehearing Conference (May 16, 1997), Public Input Hearings (May 27 through June 6, 1997) and a Third Prehearing and Answering Witness Technical Conference (July 15, 1997).

On April 29, 1997, Caradon and MI filed a Joint Petition to Intervene in this proceeding. On June 17, 1997, ALJ Kashi issued an Order granting the Joint Petition. On July 15, 1997, Quaker Oats filed a Petition to Join as a Party to the Intervention of Caradon and MI. Similarly, on July 28, 1997, Mount Joy filed a Petition to Join as a Party to the Intervention of Caradon, MI and Quaker Oats.^{3/}

^{3/} PP&L refers collectively to the July 15, 1997 and July 28, 1997 Petitions of Quaker Oats and Mount Joy as the "Joinder Petitions." Quaker Oats and Mount Joy "admit that their petitions were filed beyond the period initially allowed for such intervention." Exceptions, p. 17. They also concede that they filed their Joinder Petitions at a time when they "may not have had standing" because "intervention is only appropriate for
(continued...)

On July 16, 1997, after the opposing parties (but not Caradon or MI) had conducted extensive discovery and filed direct testimony in compliance with the established schedule, Caradon, MI and Quaker Oats served Requests for Admissions (“Requests”) directed to PP&L. See Exhibit E of Quaker Oats and Mount Joy Appendix.^{4/} Because Caradon, MI and Quaker Oats previously had failed to participate actively in this proceeding, the Requests raised for the first time several new issues regarding the interruptible rate. On July 28, 1997, the Company filed Objections to the Requests, arguing that they were untimely, outside the scope of the proceedings, and addressed issues being litigated in separate complaint cases before the Commission.

On August 1, 1997, Quaker Oats and Mount Joy filed a Motion to Compel responses to the Requests. PP&L filed an Answer to the Motion to Compel on August 11, 1997. See Exhibit F of Quaker Oats and Mount Joy Appendix. Based on the settlement of the separate Caradon and MI Complaints, and in an attempt to resolve the parties’ dispute, PP&L stated in its Answer that it was willing to withdraw its Objections and to submit responses to the Requests if the Company was allowed a full opportunity to submit surrebuttal testimony regarding the various issues belatedly raised for the first time by the Interruptible Intervenors’ Requests.

3/(...continued)

those claiming an interest that will be directly affected in the proceedings where that interest ‘is not adequately represented by existing participants.’” Id.

4/ It should be noted that Quaker Oats joined in these Requests only one day after seeking to join in the intervention of Caradon and MI. Obviously, Quaker Oats’ Petition had not been granted at that time.

After finalizing settlement of their Complaint proceedings, Caradon and MI each filed Petitions to Withdraw with prejudice from the Restructuring Case on August 8, 1997. ALJ Kashi granted these Petitions on August 15, 1997.

On August 18, 1997 (the first day of hearings in this case), ALJ Kashi issued a decision on the record with respect to the Quaker Oats' and Mount Joy's Joinder Petitions. Specifically, the ALJ denied the Joinder Petitions as "moot" because they sought to join in the now withdrawn interventions of Caradon and MI (Tr. 410-411).

On August 19, 1997, Quaker Oats and Mount Joy filed a Motion to Reconsider the Denial of their Joinder Petitions. In the midst of the active schedule of hearings then proceeding before ALJ Kashi, PP&L did not file a formal response to the Motion to Reconsider. On August 28, 1997, the ALJ denied the Motion to Reconsider.

III. REPLY TO EXCEPTIONS

As noted above, although PP&L took no position on the Joinder Petitions of Quaker Oats and Mount Joy, the Company believes that ALJ Kashi acted within the bounds of his discretion in denying the Petitions.

On April 29, 1997, ALJ Kashi issued an Interim Order establishing a procedural schedule for the litigation of this case. As explained above, that carefully considered schedule included express, established deadlines for direct testimony, opposing party testimony, PP&L rebuttal testimony, surrebuttal testimony, evidentiary hearings and briefing. The purpose of this schedule

was to ensure the orderly and efficient administration of this complex restructuring proceeding. Toward that end, the procedural schedule adopted a FERC-type schedule that required the filing of direct, rebuttal and surrebuttal testimony before the commencement of hearings. Pre-filed written testimony serves two fundamental purposes. First, it narrows and defines the issues in the case. Second, pre-filed written testimony gives all parties and the presiding officer notice of the issues to be litigated at hearings and on briefs. Pre-filed testimony, therefore, streamlines the parties' preparations and reduces the amount of time required for hearings.

Importantly, the Interruptible Intervenors had a full and fair opportunity to participate actively in the case, yet declined to do so. For example, opposing parties conducted extensive discovery from mid-April through June 1997, serving almost 1,000 interrogatories and requests for documents on PP&L. The Interruptible Intervenors, on the other hand, failed to conduct any formal discovery until July 16, 1997. Similarly, in accordance with the schedule adopted by ALJ Kashi, opposing parties submitted the written direct testimony of 34 witnesses on or before July 2, 1997, and the written surrebuttal testimony of 26 witnesses on or before August 15, 1997. Again, the Interruptible Intervenors failed to file any written testimony. Finally, prehearing conferences were held April 18, May 16 and July 15, 1997. The Interruptible Intervenors failed to participate actively in any of the prehearing conferences.

In sum, the Interruptible Intervenors had a full and fair opportunity to participate actively in this proceeding. Instead, they elected to wait until two weeks after all opposing parties served their direct testimony, and less than three weeks before PP&L was required to serve its rebuttal testimony on August 5, 1997, to serve their Requests. By proceeding in this manner, the

Interruptible Intervenors effectively denied PP&L any opportunity to submit written rebuttal testimony concerning the several issues raised by their belated Requests. Moreover, the Interruptible Intervenors' untimely attempt to participate actively effectively circumvented the procedural schedule in this case, and completely undermined the purposes for which ALJ Kashi adopted such a schedule.

Faced with the difficult task of addressing a variety of complicated issues of first impression and hearing over fifty (50) witnesses in only two weeks of hearings, ALJ Kashi appropriately exercised his discretion in denying the Joinder Petitions of Quaker Oats and Mount Joy. Through their belated efforts to join as intervenors in this proceeding, Quaker Oats and Mount Joy sought to press and pursue the belated efforts of Caradon and MI to participate actively in a manner that was inconsistent with the orderly schedule established by ALJ Kashi in late April 1997. Therefore, the same procedural deficiencies raised in PP&L's objections to the Requests remained, but were compounded by the effort of new parties to press them forward. Faced with the exceedingly difficult task of allowing those parties which had proceeded in a timely manner consistent with the established schedule to address all of the issues implicated by this complex proceeding during the hearings, ALJ Kashi acted within his discretion in denying the Joinder Petitions. The ALJ's decision was intended to ensure that this exceedingly complex litigation would proceed in an orderly and efficient manner. That decision was appropriate and, therefore, should be approved.

While the majority of the Exceptions are addressed by the above discussion, certain contentions require a specific response. Quaker Oats and Mount Joy claim that ALJ Kashi acted

“arbitrarily” and with “an element of bias” because he denied the petitions of Quaker Oats and Mount Joy on the one hand, yet on August 15, 1997, granted the petitions to intervene of several other parties, including two who filed petitions after Quaker Oats, on the other. Exceptions, pp. 11, 18. PP&L submits that these claims are totally unsupported.

The Petitions of Quaker Oats and Mount Joy are completely distinguishable from the Petitions of the several parties identified in the Exceptions. The parties identified by Quaker Oats and Mount Joy did not seek to intervene for the purpose of belatedly introducing new issues into the case.^{5/} In contrast, it is clear that both Quaker Oats and Mount Joy intended to actively litigate the various issues initially raised in an untimely manner by the Requests. As explained above, ALJ Kashi acted reasonably and within the bounds of his discretion in denying the Petitions of Quaker Oats and Mount Joy and granting those of the eight other parties. There is simply no basis for Quaker Oats’ and Mount Joy’s claims that ALJ Kashi acted either arbitrarily or with an element of bias. Those claims, therefore, should be rejected.

^{5/} ALJ Kashi granted the petitions to intervene of the following eight parties on August 15, 1997: York County Solid Waste & Refuse Authority, Pennsylvania Association of Plumbing, Heating, Cooling Contractors, Inc., Electric Clearinghouse, Inc., NorAm Energy Management, Inc., Duke Energy Trading and Marketing, L.L.C., Vastar Power Marketing, Inc., Pennsylvania Retailers’ Association, and ERI Services, Inc. See Exhibit I to Appendix of Quaker Oats and Mount Joy. These parties did not file any testimony and did not conduct any discovery.

IV. CONCLUSION

For the reasons stated above, Pennsylvania Power & Light Company respectfully submits that Administrative Law Judge George M. Kashi's Initial Decision denying the Joinder Petitions of The Quaker Oats Company and Mount Joy Wire Corporation constitutes an appropriate exercise of judicial discretion. Although Pennsylvania Power & Light Company took no position on the Joinder Petitions before ALJ Kashi, the Company believes that ALJ Kashi's decision is fully supported by the record and should be approved.

Respectfully submitted,



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Counsel For Pennsylvania Power & Light Company

Date: September 19, 1997

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

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):

By Hand Delivery

The Honorable George M. Kashi
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Dated: September 19, 1997



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008347
September 19, 1997

97 SEP 22 AM 9:44

RECEIVED
PROTHONOTARY'S OFFICE

Hon. George Kashi, Administrative Law Judge
Pa. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105

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

Dear Judge Kashi:

Enclosed please find an executed copy of the Interim Order regarding the Confidentiality Agreement issued in the above-captioned proceeding. The Agreement has been executed by the undersigned on behalf of the International Brotherhood of Electrical Workers Local 1600. A copy of this document has been served on all parties of record, as shown on the attached certificate of service.

DOCUMENT
FOLDER

Sincerely,


Scott J. Rubin, Esq.

Enclosure

cc: All parties of record
Prothonotary

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

000348

97 SEP 22 AM 9:44

RECEIVED
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

DOCKETED

INTERIM ORDER RE

SEP 22 1997

CONFIDENTIALITY AGREEMENT

**DOCUMENT
FOLDER**

The undersigned parties are attempting to resolve a dispute, Pennsylvania Power and Light Company, Enron, MAPSA, NEV, Conectiv, PPA, DuPont, Electric Clearinghouse, Duke, CNG, AES, PECO, GPU, Allegheny, Allegheny Electric Cooperative, IBEW, PPLICA, Army, , Kraft, Bethlehem, SER, Gilberton ARIPPA, Environmentalists, AARP, CEO, Epstein, PaULP, PaECC, CEED, OTS, OCA, and OSBA (those among the above entities that sign this Agreement are collectively referred to herein as the "parties") are participating in several proceedings before the Pennsylvania Public Utility Commission regarding PP&L's stranded cost recovery and other electric restructuring issues and are participating or may participate in related proceedings before the Commonwealth Court or other courts, and

In order to promote communications among parties and facilitate the settlement,

IT IS HEREBY ORDERED:

THAT the parties engage in discussions and exchange information to settle certain issues in these proceedings, and

THAT the parties ensure that all settlement discussions and information exchanged, as well as the very fact that the settlement discussions are taking place, remain strictly confidential and are not disclosed to any third party or in any proceeding.

NOW, THEREFORE, in consideration of the mutual provisions contained herein and intending to be legally bound hereby, it is agreed to by parties and hereby ordered:

1. This Confidentiality Agreement applies to all communications and information exchanged (written, oral, or otherwise) in connection with the settlement discussions, and notes, summaries, extracts or other information derived from those communications and information exchanges, as well as the very fact that settlement discussions are taking place and the parties who are engaging in settlement discussions (collectively, "confidential settlement information").

2. The parties shall keep the confidential settlement information strictly confidential, and the parties shall not disclose it to any other person or entity, except the party's employees, counsel or consultants; provided, however, that parties may make disclosures with the express written consent of all the other parties. *The confidential settlement information shall not be disclosed or offered for admission in any administration, civil, legislative or other proceeding or action, nor may confidential settlement information be the subject of discovery in any such proceeding or action. No aspect of the negotiations shall be relied upon or introduced in evidence in any arbitral, judicial or other proceeding, including but not limited to:*

a. Views expressed or suggestions made by a party with respect to a possible settlement of the dispute;

b. Admissions made in the course of the negotiation proceedings; and/or

c. Proposals made or views expressed by the Administrative Law Judge or the response of any parties thereto.

By releasing confidential settlement information to each other, the parties are not waiving their confidentiality and proprietary rights to the information.

3. The parties agree to use, handle and store the confidential settlement information in a manner that prevents any unauthorized use or disclosure. The parties agree to take affirmative steps to limit access to the confidential settlement information to only their authorized representatives who need to use the confidential settlement information for settlement purposes. Every person to whom disclosure is made of any confidential settlement information subject to this Agreement shall be informed of the terms of this Agreement by counsel for its party, and shall agree to be bound by it. The parties agree that the parties, and all such persons or entities to whom confidential settlement information is disclosed, may use such confidential settlement information solely for settlement purposes for these proceedings.

4. The parties make no representations as to the accuracy of the confidential settlement information.

5. The parties agree that this Agreement may be executed in one or more counterparts, each of which shall be deemed an original and all of which taken together shall constitute one and the same Agreement. By signing below each of the undersigned represent that they are authorized to execute this Agreement on behalf of the party they represent. This Agreement becomes effective when signed by any two parties, and is effective only as to those entities that have signed it. The entities and persons listed above, and others, may become a party to this Agreement only upon the agreement of all the parties that have already signed and upon the additional party signing this Agreement. Confidential settlement information shall not be disclosed to any entity or person until it signs this Agreement and becomes a party.

6. This Agreement is effective as of September 9, 1997 and continues in full force and effect even if settlement discussions terminate.

7. The parties agree that the remedies available to them as a result of a breach of any of the terms of this Agreement include, and are not limited to, damages and injunctive relief. The parties agree that the confidential settlement information is proprietary, confidential, valuable and unique, and that unauthorized use or disclosure of it by a party of this Agreement will result in irreparable injury to the other parties.



GEORGE M. KASHI
Administrative Law Judge

Gary A. Jeffries, Esquire
CNG

Date

Michael L. Kessler, Esquire
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Mary McFall Hopper, Esquire
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Date

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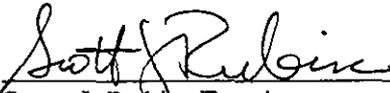
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Date


Scott J. Rubin, Esquire
IBEW

9-18-97
Date

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the Interim Order regarding the Confidentiality Agreement upon the active participants by First Class Mail, listed on the following pages, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).



Scott J. Rubin, Esq.

Counsel for:
International Brotherhood of Electrical Workers,
Local 1600

Dated: September 19, 1997

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SUPERSEDING MEMO*

DATE: September 22, 1997

**DOCUMENT
FOLDER**

SUBJECT: *R-00973954

TO: Office of Administrative Law Judge

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

DOCKETED
SEP 22 1997

**PENNSYLVANIA POWER & LIGHT COMPANY
RESTRUCTURING PLAN**

On September 10, 1997 Pennsylvania Power & Light Company filed a Petition to Amend the Procedural Schedule in the above captioned matter.

On September 11, 1997 we assigned the matter to your Office.

At the Public Meeting of September 12, 1997 this Petition was disposed of by the Law Bureau at L-95.

In light of the foregoing we are rescinding our assignment to your Office.

cc: LAW
OTS

wjz

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ERIC JOSEPH EPSTEIN

v.

:
: Docket No. R-00973954
:

PENNSYLVANIA POWER and LIGHT
COMPANY

RECEIVED

SEP 22 1997

PA PUBLIC UTILITY COMMISSION
PROTHONOTARY'S OFFICE

CERTIFICATION OF SERVICE

I hereby certify that I have executed a copy of the Interim Order regarding the Confidentiality Agreement in the above mentioned proceeding to Administrative Law Judge George M. Kashi in accordance with the requirements of Section 1.54.

The Honorable George M. Kashi
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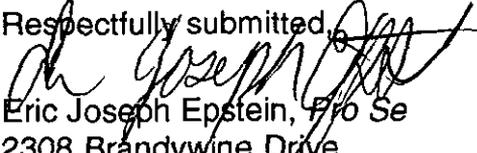
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