



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

ISSUED: October 22, 1997

REFER TO OUR FILE  
 IN REPLY PLEASE  
 R-00973954

DOCUMENT  
 FOLDER

PAUL RUSSELL ESQUIRE  
 PENNSYLVANIA POWER & LIGHT CO  
 TWO NORTH NINTH STREET  
 ALLENTOWN PA 18101-1179

Application of PP&L, Inc. For Approval of Its Restructuring Plan Under Section 2806 of the Public Utility Code

TO WHOM IT MAY CONCERN:

Enclosed is a copy of the Initial Decision of Administrative Law Judge George M. Kashi. This decision is being issued and mailed to all parties on the above specified date.

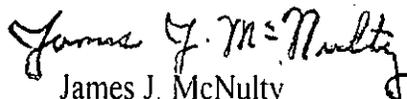
If you do not agree with any part of this decision, you may send written comments (called Exceptions) to the Commission. Specifically, an original and nine (9) copies of your signed exceptions **MUST BE FILED WITH THE SECRETARY OF THE COMMISSION IN ROOM B-20, NORTH OFFICE BUILDING, NORTH STREET AND COMMONWEALTH AVENUE, HARRISBURG, PA OR MAILED TO P.O. BOX 3265, HARRISBURG, PA 17105-3265**, within twenty (20) days of the issuance date of this letter. The signed exceptions will be deemed filed on the date actually received by the Secretary of the Commission or on the date deposited in the mail as shown on U.S. Postal Service Form 3817 certificate of mailing attached to the cover of the original document (52 Pa. Code §1.11(a)) or on the date deposited with an overnight express package delivery service (52 Pa. Code 1.11(a)(2), (b)). If your exceptions are sent by mail, please use the address shown at the top of this letter. A copy of your exceptions must also be served on each party of record. 52 Pa. Code §1.56(b) cannot be used to extend the prescribed period for the filing of exceptions/reply exceptions. A certificate of service shall be attached to the filed exceptions.

If you receive exceptions from other parties, you may submit written replies to those exceptions in the manner described above within ten (10) days of the date that the exceptions are due.

Exceptions and reply exceptions shall obey 52 Pa. Code 5.533 and 5.535 particularly the 40-page limit for exceptions and the 25-page limit for replies to exceptions. Exceptions should clearly be labeled as "EXCEPTIONS OF (name of party) - (protestant, complainant, staff, etc.)".

If no exceptions are received within twenty (20) days, the decision of the Administrative Law Judge may become final without further Commission action. You will receive written notification if this occurs.

Very truly yours,

  
 James J. McNulty  
 Acting Secretary

law  
 Encls.  
 Certified Mail  
 Receipt Requested

cc: ALJ KASHI/ OFFICE OF ALJ/ OCA/ OSA/ PIO/ LAW/ OTS/ BFUS/ OUR FILE/ FILING & ASSIGNMENTS/ CHAIRMAN/ COMMISSIONERS/ CEE P/ AUDITS

See attached list  
 for additional  
 parties of record.

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of PP&L, Inc. For Approval of Its :  
Restructuring Plan Under Section 2806 of : Docket R-00973954  
the Public Utility Code :

**DOCUMENT  
FOLDER**

**DOCKETED**  
OCT 24 1997

**INITIAL DECISION DENYING  
PETITION TO INTERVENE OF QST ENERGY INC.**

PP&L, Inc. (PP&L)<sup>1</sup> filed an application for approval of its Restructuring Plan on April 1, 1997. Pursuant to our April 29, 1997 Interim Order evidentiary hearings in this proceeding began on August 18, 1997 and concluded on August 29, 1997. The record in this proceeding closed on September 9, 1997.

QST Energy Inc.(QST) filed its Petition to Intervene (Petition) on September 4, 1997, five months after PP&L filed its application for approval of its Restructuring Plan and after the conclusion of the evidentiary hearings in this proceeding. On September 27, 1997, PP&L filed an objection to the Petition.

Under the Rules of Administrative Practice and Procedure of the Pennsylvania Public Utility Commission ("Commission"), "[i]ntervention will not be permitted once an evidentiary hearing has concluded absent extraordinary circumstances." 52 Pa. Code 5.74(a). QST has

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<sup>1</sup> Pennsylvania Power & Light Company amended its Articles of Incorporated on September 12, 1997, to change the name of the corporation to PP&L, Inc.

failed to allege extraordinary circumstances that would warrant the granting of its intervention at such a late stage in this proceeding.

In support of its petition to intervene, QST alleges that it filed an application with the Commission for approval to furnish electricity and electric generation services as a marketer within Pennsylvania and that it is "uniquely" qualified to comment in this proceeding from the perspective of a power marketer who has participated in electric restructuring in another state (Petition to Intervene of QST Energy Inc. at 2). However, the same can be said of several other parties who filed timely petitions to intervene and have been active participants in this proceeding. QST's interests are thus adequately protected by the parties that filed timely petitions to intervene.

Given that the record in this proceeding is closed and that QST has asserted that it "raises no issues regarding the record in this proceeding to date," (Petition to Intervene of QST Energy Inc. at 3), it appears unlikely that QST will be harmed if we deny its petition to intervene. On the other hand, granting QST's petition will at best complicate and at worse delay the resolution of this proceeding without any stated benefit to the public interest or to any specifically identified interest.

THEREFORE, IT IS ORDERED that the Petition to Intervene filed by QST Energy Inc. and docketed at R-00973954 be and is hereby denied.

Dated

*October 6, 1997*



George M. Kashi

Administrative Law Judge

Application for approval of a Restructuring Plan

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*Acob*

0057

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0058

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0062  
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PACE ENERGY PROJECT

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0063  
HONORABLE STEPHEN R. REED, MAYOR  
CITY GOVERNMENT CENTER  
HARRISBURG PA 17101-1678  
CITY OF HARRISBURG

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0064  
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0065  
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BUREAU OF CEEP

0071  
GLENN BARTON  
PA PUBLIC UTILITY COMMISSION  
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BUREAU OF AUDITS

0072  
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PUC LAW BUREAU

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BALACYNWYD PA 19004  
RMI INC.

0076  
EDWIN D. HILL, INT'L VICE PRESIDENT  
200 CORPORATE CENTER DRIVE  
SUITE 301  
CORAOPOLIS PA 15108  
IBEW

ADD

ADD

ADD

ADD

ADD

ADD

ADD

ADD

0077

WILLIAM SCHMITT  
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LOCAL 1600 IBEW

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ARLINGTON VA 22203-1837  
OFFICE OF THE JUDGE ADVOCATE GENERAL

0079

JAMES MELIA, ESQUIRE  
KIRKPATRICK AND LOCKHART  
PAYNE SHOEMAKER BLDG, 240 N. THIRD ST.  
HARRISBURG PA 17101-1507

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WAYNE M. THOMAS, ESQUIRE  
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PHILADELPHIA PA 19107  
KOHN NAST AND GRAFF PC

0081

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WILKES-BARRE PA 18701-1596  
COMMISSION ON ECONOMIC OPPORTUNITY

0082

STEPHEN J. SELDEN, ESQUIRE  
EIGHTH AND EATON AVENUES  
BETHLEHEM PA 18016  
BETHLEHEM STEEL CORPORATION

0083

NORMAN J. KENNARD, ESQUIRE  
MALATESTA HAWKE & MCKEON  
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HARRISBURG PA 17101

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NOEL H. TRASK, ESQUIRE  
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PECO ENERGY COMPANY

0085

KENNETH ZIELONIS, ESQUIRE  
STEVENS AND LEE  
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A 00

0086

DIANE DRENNAN, ESQUIRE  
DRENNAN AND ASSOCIATES  
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WASHINGTON

DC 20036

ADD

0087

THE QUAKER OATS COMPANY  
PO BOX 3040  
SHIREMANSTOWN

PA 17011

ACKNOWLEDGEMENT OF RECEIPT & ACCEPTANCE OF SERVICE

AND NOW, to wit, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_ ,

the undersigned, as evidenced by execution hereof, acknowledges receipt, and accepts service of INITIAL DECISION an official Commission document entered, issued, or otherwise promulgated under date of October 22, 1997 at Docket No. R-00973954 on behalf of:

KAREN OILL MOURY ESQUIRE

OFFICE OF SMALL  
BUSINESS ADVOCATE

BERNAD A RYAN JR ESQUIRE

OCT 22 1997

OFFICE OF SMALL BUSINESS ADVOCATE

COMMERCE BLDG SUITE 1102

KJR

C. Updegraff  
Signature

Kindly sign and date this acceptance of service and acknowledgement of receipt, and, return the same for filing to:

OFFICE OF PROTHONOTARY FILE ROOM  
PA PUBLIC UTILITY COMMISSION  
B-20, North Office Building  
Harrisburg, PA 17105-3265

DOCUMENT  
FOLDER

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PROTHONOTARY'S OFFICE



ACKNOWLEDGEMENT OF RECEIPT & ACCEPTANCE OF SERVICE

AND NOW, to wit, this 23rd day of October, 1997,

the undersigned, as evidenced by execution hereof, acknowledges receipt, and accepts service of INITIAL DECISION an official Commission document entered, issued, or otherwise promulgated under date of October 22, 1997 at Docket No. R-00973954 on behalf of:

Johnie E SIMMS ESQUIRE

SCOTT H. DEBROFF ESQUIRE

CAROL F PENNINGTON ESQUIRE

PA PUC OFFICE OF TRIAL STAFF

3RD FLOOR PITNICK BLDG

DOCUMENT  
FOLDER

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Signature

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PA PUBLIC UTILITY COMMISSION  
B-20, North Office Building  
Harrisburg, PA 17105-3265

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OCT 27 1997

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97 OCT 23 AM 11:23  
7:00 PM '97

Act 294

OCT 28 1997

OFFICE OF SPECIAL ASSISTANTS

KJR

Case Identification:

R-00973954; Application of PP&L, Inc. For Approval of Its Restructuring Plan Under Section 2806 of the Public Utility Code

Initial Decision By:

ALJ George M. Kashi

Deadline for Return to OSA:

November 4, 1997

This decision has not been reviewed by OSA.

DOCKETED  
NOV 18 1997

\* \* \* \* \*

DOCUMENT  
FOLDER

I want full Commission review of this decision.

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Date

I do not want full Commission review of this decision.

*[Signature]*  
\_\_\_\_\_  
Commissioner

*10-26-97*  
\_\_\_\_\_  
Date

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PROTHONOTARY'S OFFICE

97 NOV 18 AM 10:36

018852

NOV 05 1997

Act 294

OFFICE OF SPECIAL  
ASSISTANTS

Case Identification:

R-00973954; Application of  
PP&L, Inc. For Approval of Its  
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Section 2806 of the Public  
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Initial Decision By:

ALJ George M. Kashi

Deadline for Return to OSA:

November 4, 1997

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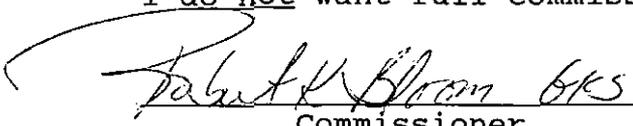
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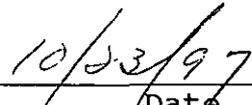
I want full Commission review of this decision.

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Date

I do not want full Commission review of this decision.

  
\_\_\_\_\_  
Commissioner

  
\_\_\_\_\_  
Date

Act 294

Case Identification:

R-00973954; Application of  
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Utility Code

Initial Decision By:

ALJ George M. Kashi

Deadline for Return to OSA:

November 4, 1997

This decision has not been reviewed by OSA.

\* \* \* \* \*

NOV 17 1997  
OFFICE OF THE  
COMMISSIONER

I want full Commission review of this decision.

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Date

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✓ John Hanger  
Commissioner

NOV 17 1997  
\_\_\_\_\_  
Date

Act 294

Case Identification:

R-00973954; Application of  
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Section 2806 of the Public  
Utility Code

Initial Decision By:

ALJ George M. Kashi

Deadline for Return to OSA:

November 4, 1997

This decision has not been reviewed by OSA.

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OCT 28 1997

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OFFICE OF SPECIAL  
ASSISTANTS

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\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Date

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*David W. Rolka/jr*  
\_\_\_\_\_  
Commissioner

Date  
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OCT 22 1997

COMMISSIONER ROLKA'S  
OFFICE

Act 294

Case Identification: R-00973954; Application of  
PP&L, Inc. For Approval of Its  
Restructuring Plan Under  
Section 2806 of the Public  
Utility Code

Initial Decision By: ALJ George M. Kashi

Deadline for Return to OSA: November 4, 1997

This decision has not been reviewed by OSA.

NOV 12 1997

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OFFICE OF SPECIAL  
ASSISTANTS

I want full Commission review of this decision.

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Date

I do not want full Commission review of this decision.

*Nora Mae Brownell*  
\_\_\_\_\_  
Commissioner

*11/10/97*  
\_\_\_\_\_  
Date