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COMMONWEALTH OF PENNSYLVANIA

PUBLIC UTILITY COMMISSION

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 :  
Pennsylvania Power & Light Company : Docket No.  
 Application for approval of a : R-00973954  
 Restructuring Plan. :  
 :  
 Public Input Hearing :  
 :  
 ----- x

Pages 299 through 340 Council Chambers  
 City Hall  
 40 North Church Street  
 Hazleton, Pennsylvania

Wednesday, June 4, 1997

Met, pursuant to adjournment, at 1:00 p.m.

BEFORE:

GEORGE M. KASHI, Administrative Law Judge

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FORM 2

## P R O C E E D I N G S

1  
2 ADMINISTRATIVE LAW JUDGE GEORGE M. KASHI: Good  
3 afternoon, ladies and gentlemen. I am Judge Kashi. I am an  
4 Administrative Law Judge for the Public Utility Commission,  
5 and I have responsibility for this particular matter. The  
6 matter that is here today for presentation at a public input  
7 hearing is the restructuring plan that has been filed by  
8 PP&L in accordance with the Choice Act that was passed by  
9 the Legislature and signed into law by the Governor.

10 The purpose of this hearing today is to hear what the  
11 citizenry throughout PP&L's territory -- and we've been on  
12 the road for nine days -- has to say about the plan. There  
13 are two ways in which you can present your comments to me.  
14 The first way and the preferable way is to have you swear as  
15 testimony your statement. That way it becomes incorporated  
16 in the record. It becomes part of the record so that when I  
17 make my decision -- and my decision is due sometime in  
18 November -- I can consider it, I can refer to it, and so can  
19 the Commission when it makes the decision on mine and the  
20 exceptions that are going to be filed to it in January.  
21 That is the preferable way. That is the way I am asking  
22 you, if in fact you're coming forward to speak, that that is  
23 the way you do it.

24 If, however, you're here to get something off your  
25 chest and you don't want to swear to anything, we'll listen

1 to that, too, but I just want you to know that in that  
2 fashion there is no way that it becomes part of this  
3 particular record so that it can be used when it comes time  
4 to make a decision.

5 Now, what I have been finding throughout these public  
6 input hearings is that while people have been informed to  
7 the extent that they have been reading newspapers about what  
8 is going on, that not necessarily everybody has a firm  
9 handle on what this is all about. To that extent, I would  
10 just say that in this application that has been filed to  
11 take us to a new form of how electricity is sold to you in  
12 this Commonwealth, this proceeding is historic. What we are  
13 talking about is changing something, the way it has been  
14 done for the last 75 years. It is going to be done  
15 differently.

16 To that extent there are four major components that  
17 are involved in this case. There are not only four issues.  
18 There are many, many issues that are before me, but there  
19 are four major components, and the components that are  
20 involved here are the company's plans to provide energy  
21 suppliers with access to their transmission and distribution  
22 system and their plans to sell electricity competitively.  
23 The second component involves what is called stranded costs,  
24 and we're going to be involved in determining what those  
25 costs are and how those costs are going to be handled and

1 how those costs are going to be shared between stockholders  
2 and ratepayers. The plan that has also been filed by the  
3 company involves rate design; and finally, and very  
4 importantly, it also involves protections for low-income  
5 consumers and an expansion of programs to assist low-income  
6 consumers when we're talking about the sale of this  
7 electricity.

8 Now, there are with me today a number of statutory  
9 offices that are involved in the proceeding. These are not  
10 all the people that are involved. At the current time there  
11 are over 30 parties that have filed to participate in this  
12 case. They represent a variety of interests, from  
13 environmental groups, to consumer groups, to large  
14 industrial groups, commercial groups, major power  
15 organizations throughout the country. They are involved in  
16 this.

17 We are currently in a stage called discovery. The  
18 company has filed its application. The company has filed  
19 its testimony. There are questions on what the company has  
20 filed being asked by all the parties. The parties are also  
21 preparing their testimony. Their testimony will also be  
22 prefiled, and I have scheduled in Harrisburg at the current  
23 time nine days of hearings for the purposes of cross-  
24 examination and cross-examination only of that testimony.  
25 That takes place in the latter part of August. I invite you

1 to all come and see what a joy it is listening to the  
2 cross-examination of an accountant. It is a real thrill.

3           Anyway, after that is finished, the parties will file  
4 briefs. The briefs will be submitted to me, together with  
5 the record; and as I said, my decision will then be  
6 rendered, I believe, November 8th is the day for my  
7 decision. At that time there is this phenomenal thing that  
8 happens. All the parties finally agree on something. When  
9 my decision goes out for exceptions, everybody is sure the  
10 Judge hasn't the vaguest idea what he's talking about, and  
11 they will all agree on that, and they will file exceptions  
12 to that.

13           Boy, you guys are really tight. That was a joke.  
14 That is about the best I can do.

15           The exceptions to my decision go to the Commission,  
16 and the Commission then has two months, and they will render  
17 their final decision the first week, I believe, in January.

18           Now, the people who are here, I would like to  
19 introduce them to you, and I would like them to be able to  
20 tell you what their office does.

21           We're here to hear what you have to say. We're not  
22 here to engage in a dialogue about the plan with you. We  
23 want to hear what your comments are as far as what you  
24 understand what your concerns are so that these people can  
25 incorporate them when they're putting together their

1 testimony, when they're putting together their expert  
2 witnesses so we know what the public is thinking. That's  
3 why we're here today.

4 To my immediate right is Mr. Bernard Ryan, who is the  
5 Office of Small Business Advocate. Mr. Ryan heads that  
6 office, and he has had some other people who have been out  
7 with us over the trail, and he has decided he'd come here  
8 today and listen to you, and we'll give him an opportunity  
9 to speak in a moment. Next to him is Mr. Johnnie Simms, who  
10 is counsel in the Office of Trial Staff for the Pennsylvania  
11 Public Utility Commission. They, too, have a unique role to  
12 play in this proceeding. To my immediate left is Mr. James  
13 Mullins, who is with the Office of Consumer Advocate,  
14 another statutorily created office with a specific role in  
15 the proceeding. And finally, to Mr. Mullins' immediate left  
16 is Mr. Paul Russell. Mr. Russell is counsel for PP&L.

17 So at this time I would like to have these people  
18 give you a quick address. We'll start with Mr. Simms.

19 MR. SIMMS: Thank you, Your Honor. My name is  
20 Johnnie Simms. I'm an attorney in the Office of Trial  
21 Staff. The Office of Trial Staff was created to present  
22 evidence and represent the public interest in proceedings  
23 before the Commission. The Chief Prosecutor is Charles F.  
24 Hoffman. Not only do we have attorneys, but we also have on  
25 our staff accountants and engineers, who are expert

1 witnesses.

2 As you know, Governor Ridge signed into law in  
3 December, 1996 Generation Choice for consumers. PP&L has  
4 made its filing in compliance with that law. Our expert  
5 witnesses have sent out a number of interrogatories for  
6 purposes of discovery to the company, and we are in the  
7 process of making a determination as to how we are going to  
8 recommend adjustments to that filing. We will be filing  
9 direct testimony and exhibits in early July.

10 The purpose of this public input is for you, the  
11 consumers, to give us input as to your views with respect to  
12 the company's filing. I encourage and welcome your input.  
13 I ask that you give it on the record so that we may use your  
14 testimony as a part of the record evidence in this  
15 proceeding.

16 Once again, I want to thank you for your attendance  
17 here today and I look forward to your comments.

18 JUDGE KASHI: Thank you, Mr. Simms.

19 Mr. Ryan.

20 MR. RYAN: Thank you, Your Honor. I am Bernard Ryan.  
21 I am the Small Business Advocate of Pennsylvania. Our  
22 office represents the small business customers of all public  
23 utilities operating in Pennsylvania, and that, of course,  
24 includes Pennsylvania Power & Light Company, so we are an  
25 active participant in this case. The lawyer who is handling

1 this case, I gave her a break today. I let her go back to  
2 Harrisburg and do other things so I could cover this  
3 hearing. We have an expert witness hired to assist us in  
4 that task.

5           Essentially, we're trying to be sure that the small  
6 business customers of Pennsylvania Power & Light are treated  
7 fairly as we move through this time of transition from the  
8 form of sale of electricity that we've all known all our  
9 lives to the new form where you'll have choice in the supply  
10 of generation. We simply are there to protect the small  
11 business customers, but we're here to hear you. If any of  
12 you represent or are owners of small businesses, I'd like  
13 you to mention that when you testify; and if you have  
14 particular concerns that apply to you in that regard, please  
15 point them out, and we'll certainly be looking into them.

16           Thank you very much.

17           JUDGE KASHI: Thank you, Mr. Ryan.

18           Mr. Mullins.

19           MR. MULLINS: Thank you, Your Honor. Good afternoon.

20 My name is James A. Mullins, and I represent the  
21 Pennsylvania Office of Consumer Advocate. The current  
22 Consumer Advocate is Irwin A. Popowsky. He has served in  
23 that function since 1990. The primary function of our  
24 office is to represent residential customers before the  
25 Pennsylvania Public Utility Commission.

1           As some of you may be aware, this case is extremely  
2 important in that it will set the tone as to how you receive  
3 electric service in the future and from whom you receive  
4 that electric service. This case may have repercussions  
5 beyond the next ten years, so it is extremely important that  
6 if you have any concerns or opinions that you'd like to get  
7 off your chest, that you take the stand and testify under  
8 oath as the Judge hinted towards, and that way we can  
9 consider your opinions and your concerns in our legal  
10 briefs.

11           Our office is also contracting with a number of  
12 consulting firms, and those consultants are at this time  
13 analyzing the PP&L restructuring proceeding. They will make  
14 a determination and we will at a later date argue that  
15 determination in our legal briefs. The primary goal of our  
16 office in this case is to make sure that PP&L's customers,  
17 all of their customers, have reliable, competitive  
18 alternatives in the future at rates that are no more  
19 expensive than they are now and hopefully lower than that.

20           As the Judge said, please feel free to take the stand  
21 and let us know what your concerns are, and I look forward  
22 to hearing from you. Thanks a lot.

23           JUDGE KASHI: Thank you, Mr. Mullins.

24           MR. ADDES: Sir, you see, I live alone --

25           JUDGE KASHI: Excuse me, excuse me. You'll have your

1 opportunity, sir. You'll have your opportunity. Please  
2 take your seat. Take your seat.

3 Mr. Russell.

4 MR. RUSSELL: Thank you, Your Honor. My name is Paul  
5 Russell. I am lawyer in the PP&L Legal Department, and I am  
6 representing the company in this proceeding. PP&L was an  
7 early advocate of retail competition. We strongly supported  
8 passage of the Customer Choice Act that the Governor signed  
9 in December. One of the provisions of the Customer Choice  
10 Act requires each utility to file a restructuring plan with  
11 the Commission, and in that restructuring plan the utility  
12 explains how it will move from regulation into a competitive  
13 marketplace. PP&L asked the Commission to allow us to file  
14 our plan early in the process. That request was granted and  
15 we filed on April 1st. The plan that is before the  
16 Commission is the subject of today's public input hearing.

17 PP&L strongly supports the public input hearing  
18 process. We think it is an essential part of the  
19 Commission's deliberation of any major case. It allows the  
20 Judge, the Commissioners and the parties to hear the  
21 public's concerns and opinions about the filing in front of  
22 them. We want to thank you for attending and join the other  
23 parties in encouraging you to testify today.

24 In closing, I'd like to introduce one other person  
25 from PP&L who is in the audience today. Martha Herron is

1 sitting on my left. She is our Community Development  
2 Director for PP&L, and both Martha and I will be here all  
3 day today and we would be happy to talk to you about any  
4 specific concerns you have about your rates or your service.

5 Again, thank you.

6 JUDGE KASHI: Before I begin to call the list of  
7 people who have signed to testify, there has been one thing  
8 that I've been finding out as we've been going along as far  
9 as the public's understanding of the filing itself. They've  
10 been picking up on that filing, even though hard copies have  
11 been filed by the company in Allentown and Harrisburg,  
12 they've been picking up bits and pieces through the media.

13 The Commission has placed on the Internet the entire  
14 filing, and I don't know if any of you are interested in  
15 that, but what I'm going to do is I'm going to give you the  
16 web site in case you want to go through it. It is  
17 hyperlinked. We're talking about 3,000 pages. I'm sure you  
18 don't want to read the whole thing. There is no www on it.  
19 It is <http://puc.paonline.com>. You can through that.

20 Mr. Russell, since my court reporter is tied up here,  
21 could I ask you, sir, to get me the list?

22 (Document handed to Judge Kashi.)

23 JUDGE KASHI: Thank you, sir.

24 Mr. Don Alimecco. Sir, do you wish your testimony to  
25 be sworn or unsworn?

1 MR. ALIMECCO: Sworn.

2 JUDGE KASHI: Would you raise your right hand and be  
3 sworn?

4 Whereupon,

5 DON ALIMECCO

6 having been duly sworn, testified as follows:

7 JUDGE KASHI: Would you please state your name, spell  
8 it, and give us your address, sir, for the record?

9 DIRECT TESTIMONY

10 THE WITNESS: My name is Don Alimecco. It is  
11 A-l-i-m-e-c-c-o. My address is Box 240 in Conyngham,  
12 Pennsylvania.

13 JUDGE KASHI: What is it you do, sir?

14 THE WITNESS: I'm the Property Manager for the  
15 Housing Development Corporation out of Wilkes-Barre.

16 JUDGE KASHI: And are you here on behalf of that  
17 development or are you here on behalf of yourself, sir?

18 THE WITNESS: On behalf of the development.

19 JUDGE KASHI: What brings you?

20 THE WITNESS: Well, I just want to make a couple  
21 statements. I manage approximately 230 apartment units  
22 throughout Luzerne County and Columbia County. A large  
23 number of our tenants are elderly and low income, and my  
24 concern with the restructuring is that the low-income  
25 ratepayers will fair out well in this restructuring.

1           As you consider the many issues surrounding PP&L's  
2 restructuring plan, I hope that you will take time to see  
3 that low-income interests are protected as well. The best  
4 way to protect these interests are through continuation and  
5 expansion of existing low-income programs and protecting the  
6 renewed commitment for more programs, and also, the demand-  
7 side management program, which is a program designed to  
8 identify energy conservation measures for each customer  
9 class and reduce the cost to them and also find ways of  
10 conserving energy for these people.

11           PP&L has had a long tradition of working with local  
12 agencies in designing and delivering a wide variety of low-  
13 income fuel assistance, energy conservation, and payment  
14 assistance programs. My biggest fear is that PP&L's  
15 existing low-income programs will not be enough to meet the  
16 competition as it heats up. During this time, low-income  
17 ratepayers will be faced with new challenges that will  
18 require new programs, particularly low-energy programs, if  
19 they are to meet those challenges and participate in the  
20 benefits of restructuring.

21           That's really all I have to say.

22           JUDGE KASHI: Thank you. Any questions from counsel?

23           Mr. Simms?

24           MR. SIMMS: No questions, Your Honor.

25           JUDGE KASHI: Mr. Ryan?

1 MR. RYAN: No, Your Honor.

2 JUDGE KASHI: Mr. Mullins?

3 MR. MULLINS: No questions, Your Honor.

4 JUDGE KASHI: Mr. Russell?

5 MR. RUSSELL: No questions, Your Honor.

6 JUDGE KASHI: Thank you very much for coming, and I  
7 appreciate your taking the time out of your day to do that,  
8 sir.

9 THE WITNESS: Thank you.

10 JUDGE KASHI: You are excused.

11 (Witness excused.)

12 JUDGE KASHI: Mr. Tom Addes. Mr. Addes, could I get  
13 you to come to the podium, sir?

14 MR. ADDES: My name is Tom Addes. I live at 116 East  
15 Maple Street.

16 JUDGE KASHI: Do you wish your testimony to be sworn  
17 or unsworn, sir?

18 MR. ADDES: What's that, sir?

19 JUDGE KASHI: Do you wish your testimony to be sworn  
20 or unsworn?

21 MR. ADDES: I'll swear.

22 JUDGE KASHI: Raise your right hand and be sworn.

23 Whereupon,

24 TOM ADDES

25 having been duly sworn, testified as follows:

1 JUDGE KASHI: Give us your name and address, Mr.  
2 Addes.

3 DIRECT TESTIMONY

4 THE WITNESS: 116 East Maple Street, Hazleton,  
5 Pennsylvania.

6 JUDGE KASHI: And could you spell your name for the  
7 record, sir?

8 THE WITNESS: What?

9 JUDGE KASHI: Could you spell your name for the  
10 record?

11 THE WITNESS: A-d-d-e-s. It was Addesavige in  
12 Polish, but I cut it down.

13 JUDGE KASHI: What brings you here today, Mr. Addes?

14 THE WITNESS: Huh?

15 JUDGE KASHI: Why are you here?

16 THE WITNESS: Well, I'm here for the senior citizen.  
17 Let me tell you. They will have to send their money to PP&L  
18 in Allentown. All right? And the cost of stamps. Why  
19 don't you build a little shanty over there and put people to  
20 work. Huh? PP&L is making lots of money, factories all  
21 around, low overhead. Why do they do that? I want to know  
22 that.

23 My income is \$9,000 a year. I have to pay \$30.00 a  
24 month for -- here. You're the Judge. Read that. Is that  
25 justice? I fought for this country in World War II. The

1 Germans were chasing me in the North Atlantic and the Japs  
2 in the Pacific. Do you understand that? Is that what we  
3 fought for, to come back here and get crucified?

4 My pension is \$27.00 a month from the United Mine  
5 Workers of America, the greatest union in the United States  
6 of America. That's what I'm here for. When they built that  
7 nuclear plant there, it was supposed to be cheaper, but  
8 Jersey is getting a break and we don't get a break. It's  
9 right in our backyard. Does that make sense? Huh? I want  
10 to know. Is that justice? You're the Judge.

11 I only traveled 100,000 miles. I was to Arabia five  
12 times, South America 25, England, France, New Guinea, the  
13 Philippines, all over. Nobody pulls the wool over my eyes.  
14 Right? But \$30.00 a month, is that justice? I want to  
15 know. Cheap electricity; right?

16 Something should be done. Instead of the poor woman  
17 making the check and sending it to Allentown, put a shanty  
18 over there on Broad Street where they don't have to run  
19 around and save a stamp. Some of them people are only  
20 getting \$3,500 a year on social security. Maybe you're  
21 eating lobster. I'm eating minced ham. Okay? That's all I  
22 got to say.

23 JUDGE KASHI: Thank you very much, Mr. Addes.

24 THE WITNESS: I'm telling you the truth.

25 JUDGE KASHI: Are there any questions for the

1 gentleman? Mr. Simms?

2 MR. SIMMS: No, Your Honor.

3 JUDGE KASHI: Mr. Ryan?

4 MR. RYAN: No, Your Honor.

5 JUDGE KASHI: Mr. Russell?

6 MR. RUSSELL: No, Your Honor.

7 JUDGE KASHI: Mr. Mullins?

8 MR. MULLINS: No questions, Your Honor.

9 JUDGE KASHI: Thank you, sir. You're excused.

10 THE WITNESS: I get \$9,000, and I'm paying \$30.00 for  
11 the electricity.

12 JUDGE KASHI: Thank you, Mr. Addes.

13 (Witness excused.)

14 JUDGE KASHI: Carol Kay.

15 MS. KAY: Good afternoon.

16 JUDGE KASHI: Do you wish your testimony to be sworn  
17 or unsworn?

18 MS. KAY: Sworn.

19 JUDGE KASHI: Would you raise your right hand,  
20 please?

21 Whereupon,

22 CAROL KAY

23 having been duly sworn, testified as follows:

24 JUDGE KASHI: Please state your name and address for  
25 the record.

## DIRECT TESTIMONY

1  
2 THE WITNESS: Carol Kay, 235 East 23rd Street,  
3 Hazleton.

4 JUDGE KASHI: What is it you do, ma'am?

5 THE WITNESS: I am the Executive Director for the  
6 Greater Hazleton Senior Citizens.

7 JUDGE KASHI: And you're here on behalf of that  
8 organization?

9 THE WITNESS: Yes.

10 JUDGE KASHI: Would you give us a little background  
11 about your organization?

12 THE WITNESS: We have a membership of over 2,000  
13 people, and we just celebrated 29 years of being in  
14 existence in Hazleton.

15 JUDGE KASHI: What brings you?

16 THE WITNESS: First, I would like to tell you that  
17 there were quite a number of members of the center who  
18 wanted to attend this program but were unable to do it  
19 because of prior commitments. If there are any other public  
20 meetings, we invite you to have them at the center. It is  
21 easier for me to have them there and you to come than for me  
22 to bring them here.

23 The main reason I'm speaking is to let PP&L know how  
24 important the public purpose programs are and must be  
25 continued. The nightmare we all face with the deregulation

1 of the telephone company and the constant calling of our  
2 homes by telemarketers must be avoided. We were told at the  
3 time phone rates would be cheaper. We all know this is not  
4 true, and it made our lives more complicated in an already  
5 complicated society.

6 The majority of the people feel that PP&L has already  
7 made their decisions about deregulating the utility, but we  
8 ask that the residential customers not be penalized for  
9 this, especially the low income, and that the utility  
10 companies do not make middle-income families pay the  
11 penalties for this deregulation.

12 JUDGE KASHI: You made the comment about avoiding  
13 some of the pitfalls that you see that have happened in the  
14 telecommunications industry, and one of the allegations that  
15 you made is that the service is more expensive.

16 THE WITNESS: Yes.

17 JUDGE KASHI: Is that just a perception or do you  
18 have -- have you seen your telephone bill going up?

19 THE WITNESS: Definitely, definitely.

20 JUDGE KASHI: On the long distance side, the local  
21 side, what?

22 THE WITNESS: On all of them.

23 JUDGE KASHI: On all of them?

24 THE WITNESS: Yes.

25 JUDGE KASHI: You don't find long distance calling

1 cheaper for you now?

2 THE WITNESS: No, I don't.

3 JUDGE KASHI: And would you on behalf of your group  
4 be able to make that same assessment? Do you hear comments  
5 like that from them?

6 THE WITNESS: I think I could just turn to the people  
7 here and also have them say that. Yes, definitely.

8 JUDGE KASHI: You realize that if in fact we're going  
9 to have competition, there are people who are going to want  
10 to sell you things, and they're going to want to contact  
11 you, and in fact, it's going to be more complex than having  
12 a monopoly and say, "Here it is"?

13 THE WITNESS: I agree with you to that point, but I  
14 also agree to the point where I get the elderly, including  
15 my aunt, who calls up and says her telephone is out of order  
16 and what does she do now, where she used to just call the  
17 telephone company, and she's in a panic, and I have to run  
18 up there to see what's wrong with her phone before we call  
19 the telephone company charging \$45.00 an hour just to walk  
20 through the door; and I don't want to see that with PP&L,  
21 and I hope I don't have to.

22 JUDGE KASHI: How do you think we can avoid those  
23 type of things? One of the things that I spoke about at the  
24 beginning was one of the major components is that we're  
25 going to unbundle rates and we're going to unbundle various

1 services so that a whole lot of people aren't paying for the  
2 guy to walk through your door as opposed to the person who's  
3 calling him paying for it.

4 THE WITNESS: I agree with you and I hope that it's  
5 true, but that's what they promised us with the telephone  
6 company, too, and we find it isn't true. I respect you.  
7 I'm sure that that's what you're going to do or try to do,  
8 but is it going to happen?

9 JUDGE KASHI: I've heard a couple comments throughout  
10 the travels here as to trying somehow to limit the  
11 availability of competition to people who receive over just  
12 a certain amount of electricity. I mean, I don't know that  
13 that's possible, but has your group ever discussed anything  
14 like that?

15 THE WITNESS: I think it's a good possibility. I  
16 can't say that we've ever discussed it.

17 JUDGE KASHI: Are there any questions from counsel?  
18 Mr. Simms?

19 MR. SIMMS: No, Your Honor.

20 JUDGE KASHI: Mr. Ryan?

21 MR. RYAN: No, Your Honor.

22 JUDGE KASHI: Mr. Mullins?

23 MR. MULLINS: Just a couple, Your Honor.

24 Ma'am, were you dissatisfied with the particular  
25 location of this public input?

1 THE WITNESS: No, no. I just said that sometimes  
2 it's easier for me to get the seniors where they're there,  
3 like where they have their meal and I could kind of persuade  
4 them to stay a little, but you know, this was very centrally  
5 located. But I thought if you ever had anymore, we'd be  
6 glad to open the center up to you.

7 MR. MULLINS: Okay. That's helpful to know. No  
8 further questions, Your Honor.

9 JUDGE KASHI: Mr. Russell?

10 MR. RUSSELL: No questions, Your Honor.

11 JUDGE KASHI: Thank you very much for coming. We  
12 appreciate your comments and your taking the time to come  
13 here and testify.

14 THE WITNESS: Thank you.

15 JUDGE KASHI: You're excused, ma'am.

16 (Witness excused.)

17 JUDGE KASHI: Denise Corcoran. Do you wish your  
18 testimony to be sworn or unsworn, ma'am?

19 MS. CORCORAN: Sworn.

20 JUDGE KASHI: Would you raise your right hand and be  
21 sworn?

22 Whereupon,

23 DENISE CORCORAN

24 having been duly sworn, testified as follows:

25 JUDGE KASHI: Could you please state your name and

1 address for the record?

2 DIRECT TESTIMONY

3 THE WITNESS: My name is Denise Corcoran,  
4 C-o-r-c-o-r-a-n. I reside at 26 West Diamond Avenue in  
5 Hazleton.

6 JUDGE KASHI: What is it you do, ma'am?

7 THE WITNESS: I'm an Office Supervisor of the CEO  
8 office in Hazleton.

9 JUDGE KASHI: And are you here on behalf of them or  
10 on behalf of yourself?

11 THE WITNESS: I'm here on behalf of my agency.

12 JUDGE KASHI: What brings you?

13 THE WITNESS: The reason I'm here is I am very  
14 concerned with these major changes in the electric business  
15 that residential customers will not be afforded all the  
16 educational information they will need to make intelligent  
17 choices. There is already a great deal of confusion about  
18 telephone service and how to equitably compare rates. For  
19 electricity this could become even more complicated. I  
20 think there should be a serious commitment to providing  
21 consumer education. These educational programs must be  
22 neutral, that is not designed to favor one generation choice  
23 over another. The education should also be delivered by  
24 neutral parties like community organizations, social service  
25 agencies, senior citizen groups, et cetera, not by the

1 utility companies.

2           There is also an important distinction between  
3 marketing and consumer education. The PUC should be very  
4 careful in reviewing the company's educational material to  
5 insure that self-promotion is not part of the consumer  
6 education, especially because the utilities can also provide  
7 the generation supply.

8           JUDGE KASHI: Thank you. In considering the  
9 educational value, what do you think about instituting  
10 programs in the high schools?

11           THE WITNESS: I think that would be a great idea,  
12 Your Honor. They're the children. They're our future.  
13 They need to know what is going to be going on. As you  
14 stated, this could go for the next ten years and make an  
15 effect on our population in the State of Pennsylvania.

16           JUDGE KASHI: Is there anything else you'd like to  
17 add to your statement?

18           THE WITNESS: No. That's all, Your Honor.

19           JUDGE KASHI: Questions from counsel? Mr. Simms?

20           MR. SIMMS: No questions, Your Honor.

21           JUDGE KASHI: Mr. Ryan?

22           MR. RYAN: No questions.

23           JUDGE KASHI: Mr. Mullins?

24           MR. MULLINS: No questions, Your Honor.

25           JUDGE KASHI: Mr. Russell?

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MR. RUSSELL: No questions, Your Honor.

JUDGE KASHI: Thank you very much. You're excused.  
I appreciate your coming and taking the time out of your  
day, ma'am.

THE WITNESS: Thank you.

JUDGE KASHI: Thank you.

(Witness excused.)

JUDGE KASHI: Vicki Mackin. Ms. Mackin, do you wish  
your testimony to be sworn or unsworn?

MS. MACKIN: Sworn.

JUDGE KASHI: Would you raise your right hand and be  
sworn?

Whereupon,

**VICKI MACKIN**

having been duly sworn, testified as follows:

JUDGE KASHI: Could you please state your name and  
address for the record, ma'am?

**DIRECT TESTIMONY**

THE WITNESS: My name is Vicki Mackin. I live at One  
Green Acres, McAdoo, PA. I am here on behalf of the  
Concerned Citizens of Schuylkill County. We had a meeting  
last evening, and they asked me to come here to express some  
of their concerns. You and I, Judge Kashi, have met, but  
only on the phone.

JUDGE KASHI: Yes.

FORM 2

1 THE WITNESS: I had been sent a letter by  
2 Irwin Popowsky, and he told me about the restructuring of  
3 PP&L. I read the letter to the group, and this is our  
4 concern.

5 Concerned Citizens of Schuylkill County,  
6 Incorporated, believe that competition is good. However, at  
7 what price? The consumer will have the option of choosing a  
8 provider of our electricity, but under the restructuring  
9 plan of PP&L we will be charged a recovery of stranded costs  
10 of \$4.2 billion while the shareholders will be responsible  
11 for only four-tenths billion. At the present time, this  
12 charge of \$16.59 is included in our current light bill.  
13 However, the questions here is: why should we, the  
14 ratepayer, continue to pay these costs? Many of us did not  
15 realize we were even paying them.

16 PP&L enjoyed a monopoly and made decisions that were  
17 unwise and without public input. We will in fact be  
18 subsidizing PP&L if the PUC grants them this request.

19 If we are to enter a competitive system, we should  
20 know how the companies providing electricity to its  
21 consumers will produce this power. Will it be coal, nuclear  
22 reactors, gas, or whatever? We need the information to make  
23 informed decisions. If we are going to enter a competitive  
24 system for electricity, then it should be a fair one to give  
25 smaller and newer companies trying to generate and provide

1 power a level playing field and not be trounced by big  
2 utilities who have a cushion with money provided by the  
3 ratepayers.

4 I have copies for you, and if the press wants copies.

5 JUDGE KASHI: If you have copies of your statement,  
6 give them to the court reporter, and I will tell the court  
7 reporter to mark it Mackin Statement No. 1.

8 THE WITNESS: Yes. I have my name on it.

9 JUDGE KASHI: And is that all you have on your  
10 statement, ma'am?

11 THE WITNESS: Yes.

12 (Whereupon, the document was marked  
13 as Mackin Statement No. 1 for  
14 identification, and was received in  
15 evidence.)

16 JUDGE KASHI: Are there any questions from counsel?  
17 Mr. Simms?

18 MR. SIMMS: No, Your Honor.

19 JUDGE KASHI: Mr. Ryan?

20 MR. RYAN: No, Your Honor.

21 JUDGE KASHI: Mr. Mullins?

22 MR. MULLINS: No questions.

23 JUDGE KASHI: Mr. Russell?

24 MR. RUSSELL: No questions, Your Honor.

25 JUDGE KASHI: Thank you very much, ma'am.

1 THE WITNESS: Are you contemplating having any  
2 hearings to inform the people who the other utility  
3 companies will be so that we can make informed decisions?  
4 Is that in the plan anywhere?

5 JUDGE KASHI: Well, the plan at the present time  
6 involves each utility trying to come in compliance with the  
7 law that your Legislature has passed and your  
8 representatives have passed and signed into law by the  
9 Governor. They're trying to come into compliance. Who it's  
10 going to be down the line, we're not even close to that yet.

11 THE WITNESS: But no matter who it is, that \$16.59  
12 gets passed on according to PP&L; right?

13 JUDGE KASHI: Well, I'm not quite sure exactly what  
14 that particular fact is.

15 THE WITNESS: According to the letter.

16 JUDGE KASHI: I don't want to argue with you. All  
17 I'm going to say is that as the Judge in the case, I don't  
18 have that in front of me as a matter of record yet, so  
19 therefore, I wouldn't want to comment on it.

20 Mr. Russell has said that he and people from his  
21 office are willing to stay, and I'm sure there are other  
22 people here from the other offices that you might want to  
23 speak to specifically on that particular issue as to what is  
24 happening with that. Okay?

25 THE WITNESS: Mr. Mullins, would you know since

1 you're representing Mr. Popowsky, who I received the letter  
2 from? Do you know anything about that?

3 MR. MULLINS: Ma'am, we're right now in the process  
4 of analyzing this particular case, so I wouldn't feel  
5 comfortable at this time commenting on any of the  
6 substantive matters, but that question will be answered in  
7 the testimony set forth by our office as well our as legal  
8 briefs. I'm just not prepared to comment on that at this  
9 time.

10 THE WITNESS: Okay. Thank you.

11 JUDGE KASHI: Thank you very much, Ms. Mackin. Thank  
12 you for coming.

13 (Witness excused.)

14 JUDGE KASHI: Mr. Joseph Lebia. Sir, do you wish  
15 your testimony to be sworn or unsworn?

16 MR. LEBIA: No. It should be unsworn, Your Honor.

17 JUDGE KASHI: Unsworn.

18 Whereupon,

19 JOSEPH LEBIA

20 testified as follows:

21 DIRECT TESTIMONY

22 THE WITNESS: My name is Joseph Lebia, and I am a  
23 senior citizen residing in Hazleton here, and I just want to  
24 sort of piggyback on Mr. Addes' comments over here. I'm in  
25 total agreement with him. At the last monthly meeting of

1 the Hazleton City Council, I requested them to fax or write  
2 to PP&L concerning a payment center in the City of Hazleton  
3 for senior citizens, because I myself received a letter from  
4 PP&L giving me alternatives, and some of the alternatives  
5 were paying my PP&L bill from my checking account, pay by  
6 computer, which I am not computer oriented, or the other  
7 alternative was get the bill, take a stamp, mail it, and  
8 balance your own checking account. Well, there are many,  
9 many senior citizens in Hazleton. I myself have a difficult  
10 time -- I have a high school education -- I have a difficult  
11 time balancing my checking account, and I know my mother-in-  
12 law at 85 can't do any better than me.

13 I'll go back a little bit. Like I said, just last  
14 month I attended the city council and the work session of  
15 the City of Hazleton using their might and force to contact  
16 PP&L for a payment center in Hazleton here, and the response  
17 I got through the council was that there would be a payment  
18 center in Hazleton or somewhere to pay the bills by June the  
19 1st. I got my check yesterday, my social security check,  
20 and today is June the 4th. I haven't read any  
21 advertisements concerning payment of bills anywhere.

22 I could go into Summit Bank, recently go into Summit  
23 Bank and pay my PP&L bill and they would take it. After  
24 June the 1st, they will take it out of my checking account  
25 there, but they won't take it over the counter. Now, PP&L

1 said that they would have -- like I said, I'm reiterating  
2 myself. PP&L said they would have a payment center here in  
3 Hazleton by June the 1st or a place to pay their bills.  
4 Now, somewhere along the line, council's misinterpretation  
5 or someplace, either the City of Hazleton is wrong or PP&L  
6 is wrong concerning the payment of the bills.

7 Now, Mrs. Herron is here. Are you aware of a fax  
8 sent by the City of Hazleton to PP&L in Allentown?

9 MS. HERRON: Yes, sir, I am; and we do have a bill  
10 payment agency. It is Boyer's on Diamond Avenue, the former  
11 IGA. That was open as of May 22nd.

12 THE WITNESS: Has it been publicized in the paper?

13 MS. HERRON: I asked that it be publicized, but I  
14 don't believe that there has been an article, but it is  
15 Boyer's.

16 THE WITNESS: Well, then if an apology is deserving  
17 to you, I certainly apologize to you and PP&L.

18 MS. HERRON: That's okay. It's a misunderstanding,  
19 but we do have one available to you.

20 THE WITNESS: Great. And I'd like to see -- again, I  
21 don't want to take up this panel's time, but again,  
22 reflecting on this gentleman here, instead of running all  
23 over the City of Hazleton -- I'll probably have to direct my  
24 question to the Consumer Advocate here for senior citizens,  
25 because I have the bible at home -- that they would have one

1 central payment center that you could go in there and pay  
2 the PP&L and pay the gas bill and pay the light bill and  
3 every utility, the phone. This would be a dream of mine,  
4 and I know it would certainly be a dream of his. Thank you.

5 JUDGE KASHI: Thank you very much.

6 MR. ADDES: Sir --

7 JUDGE KASHI: Please. Rose Bodner. Ms. Bodner, do  
8 you wish your testimony to be sworn or unsworn?

9 MS. BODNER: Sworn.

10 JUDGE KASHI: Would you raise your right hand and be  
11 sworn?

12 Whereupon,

13 ROSE BODNER

14 having been duly sworn, testified as follows:

15 JUDGE KASHI: Would you please state your name and  
16 address for the record?

17 DIRECT TESTIMONY

18 THE WITNESS: It is Rose Ann Bodner, 909 Liberty  
19 Court, Hazleton, Pennsylvania.

20 JUDGE KASHI: What is it that you do, ma'am?

21 THE WITNESS: What do I do?

22 JUDGE KASHI: Yes.

23 THE WITNESS: Well, I'm a divorced mother of two,  
24 grandmother of three, and right now I'm not able to work.  
25 I'm on disability right now.

1 JUDGE KASHI: What brings you here today, ma'am?

2 THE WITNESS: What brings me here is that I am a  
3 grateful participant in PP&L's On Track program for the past  
4 I would say at least three years; and if it wasn't for that  
5 program, I would no longer be able to stay in my home. I'm  
6 here to speak on behalf of myself and for other people who  
7 have had circumstances beyond their control that made them  
8 go from a middle class family to a lower income family, and  
9 I decided to come here today because that program and all of  
10 the other programs for the senior citizens are very, very,  
11 extremely important, and that was available to me.

12 I had gone through a divorce after so many years of  
13 marriage. A woman's income goes down greatly after a  
14 divorce after 24 years. Then I had an accident and I wasn't  
15 able to continue working. So I feel that whatever changes  
16 come through PP&L, whatever is done, these programs should  
17 not be stopped, because we need them greatly.

18 JUDGE KASHI: Thank you, ma'am.

19 Are there questions from counsel of the witness? Mr.  
20 Simms?

21 MR. SIMMS: No, Your Honor.

22 JUDGE KASHI: Mr. Ryan?

23 MR. RYAN: No, Your Honor.

24 JUDGE KASHI: Mr. Mullins?

25 MR. MULLINS: No questions, Your Honor.

1 JUDGE KASHI: Mr. Russell?

2 MR. RUSSELL: No questions, Your Honor.

3 JUDGE KASHI: Thank you very much for taking your  
4 time, ma'am, and coming here today and providing us with  
5 that testimony.

6 THE WITNESS: Thank you.

7 (Witness excused.)

8 JUDGE KASHI: At the present time, that's all that I  
9 have signed up to testify. At this time, what I would ask  
10 is: is there anyone in the council chambers here today who  
11 has not signed up, who has not been heard, who at this time  
12 would like to still be heard? If so, please come forward  
13 and sign up.

14 (Pause.)

15 JUDGE KASHI: Mr. Neil Oberto. Sir, do you wish your  
16 testimony to be sworn or unsworn?

17 MR. OBERTO: I'll swear.

18 JUDGE KASHI: Raise your right hand to be sworn.

19 Whereupon,

20 NEIL OBERTO

21 having been duly sworn, testified as follows:

22 JUDGE KASHI: Would you please state your name and  
23 spell it for the record and your address?

24 DIRECT TESTIMONY

25 THE WITNESS: Neil, N-e-i-l, Oberto, O-b-e-r-t-o. My

1 home address is 410 East Carleton Avenue in Hazleton.

2 JUDGE KASHI: What is it you do, sir?

3 THE WITNESS: I'm the Director of Catholic Social  
4 Services in Hazleton.

5 JUDGE KASHI: And are you appearing here today on  
6 behalf of Catholic Social Services or are you here on behalf  
7 of yourself?

8 THE WITNESS: Probably both, but more on behalf of  
9 the clients we serve through Catholic Social Services.

10 JUDGE KASHI: What brings you, sir?

11 THE WITNESS: Catholic Social Services is a family  
12 social service agency. It has been part of this community  
13 since 1939, and the main reason why Catholic Social Services  
14 was formed in this community at that time was to address the  
15 needs that arose through the Great Depression and basically  
16 at that time was food, fuel, shelter, basic human needs; and  
17 as the needs of the community changed, so has the work of  
18 the agency, but that advocacy on behalf of people that we  
19 serve has always been an important part of the work that we  
20 do. Last year alone the agency served a little over 6,000  
21 individuals.

22 I'd like to basically first commend PP&L for the low-  
23 income programs that they do have, some of the neighborhood  
24 reinvestment programs that they have in trying to provide  
25 opportunities through agencies to help individuals work

1 towards self-sufficiency and home-ownership. Understanding  
2 you're from the Public Utility Commission, I would challenge  
3 all of you to have other utility companies do the same. A  
4 lot of the banks are being forced right now through the  
5 Community Reinvestment Act to reinvest back into the  
6 communities. The gas companies and other utilities should  
7 be doing the same. PP&L has taken somewhat of a lead in  
8 that.

9 I just want to support all the statements that have  
10 been said so far in regard to a lot of the low-income  
11 individuals that we serve; that a lot of these programs  
12 through the restructuring will be considered and that those  
13 programs won't be affected.

14 I guess on behalf of our agency as well, I'd like to  
15 say we're a non-profit agency and we have a facility that we  
16 have to maintain. Our funding was cut recently, the funding  
17 that we receive from the local United Way, and we're always  
18 struggling to try and raise dollars to provide our services.  
19 I'm wondering if the Utility Commission would even consider  
20 -- I see the Small Business Advocate. We are a non-profit  
21 -- but I'm wondering if they would even consider  
22 establishing a special rate for non-profit agencies.

23 That's all I have to say.

24 JUDGE KASHI: Questions from counsel? Mr. Simms?

25 MR. SIMMS: No questions, Your Honor.

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JUDGE KASHI: Mr. Ryan?

MR. RYAN: No, Your Honor. I have no questions.

JUDGE KASHI: Mr. Mullins?

MR. MULLINS: No questions, Your Honor.

JUDGE KASHI: Mr. Russell?

MR. RUSSELL: No questions, Your Honor.

JUDGE KASHI: Thank you very much, sir. You are  
excused. Thank you for coming.

(Witness excused.)

JUDGE KASHI: Patricia Kemler. Do you wish your  
testimony to be sworn or unsworn, ma'am?

MS. KEMLER: Sworn.

JUDGE KASHI: Would you raise your right hand and be  
sworn?

Whereupon,

**PATRICIA KEMLER**

having been duly sworn, testified as follows:

JUDGE KASHI: Would you please state your name and  
address for the record?

**DIRECT TESTIMONY**

THE WITNESS: Patricia Kemler, K-e-m-l-e-r, Freeland  
Village, Building 17, Apartment 4, Freeland, Pennsylvania.

JUDGE KASHI: What is it you do, ma'am?

THE WITNESS: Homemaker.

JUDGE KASHI: What brings you here today?

FORM 2

1 THE WITNESS: My concern with the changes that PP&L  
2 is undergoing right now. I actually would just like to  
3 express my concern about the fact that the LIHEAP program  
4 could end up being in jeopardy. Due to the death of my  
5 child, my marriage broke up about three years ago, and it  
6 has actually bumped me into a different set of circumstances  
7 than what I am normally accustomed to, and I've, by  
8 circumstances unbeknownst to me, have been put into the  
9 position of going into the system and trying to make ends  
10 meet, initially being on Welfare. I'm now off of Welfare.  
11 I'm just trying to make the bills go any way I can.

12 JUDGE KASHI: You've had access to LIHEAP?

13 THE WITNESS: Yes; and if it was not for that, I  
14 could guarantee right now that my children and I would be  
15 homeless, because where we live it is all electric heat and  
16 it is very, very high.

17 JUDGE KASHI: You understand where that is funded  
18 from?

19 THE WITNESS: Yes.

20 JUDGE KASHI: Go ahead.

21 THE WITNESS: And I'd also like to express my  
22 gratitude to CEO for everything that they have also done for  
23 me to help me to get through. That's all.

24 JUDGE KASHI: Thank you. Questions from counsel?  
25 Mr. Simms?

1 MR. SIMMS: No questions, Your Honor.

2 JUDGE KASHI: Mr. Ryan?

3 MR. RYAN: No, Your Honor.

4 JUDGE KASHI: Mr. Mullins?

5 MR. MULLINS: No questions, Your Honor.

6 JUDGE KASHI: Mr. Russell?

7 MR. RUSSELL: No questions, Your Honor.

8 JUDGE KASHI: Thank you for taking the time today to  
9 come here and present that to us.

10 (Witness excused.)

11 JUDGE KASHI: At the current time, that's all that I  
12 have listed on my list now. I would ask once more: is  
13 there anyone in council chambers who has not signed up, who  
14 has not been heard, who at this time would still like to be  
15 heard?

16 (No response.)

17 JUDGE KASHI: Let the record show that there is no  
18 response.

19 It is now five minutes of 2:00. On the basis that  
20 maybe somebody is having an extra martini with their lunch,  
21 rather than adjourn for the day, I'm going to take a 15-  
22 minute recess to see if we have any latecomers. At that  
23 time, we'll ask the questions again and see if there is  
24 anyone else that needs to be heard.

25 So we'll stand in recess for 15 minutes.

1 (Recess.)

2 JUDGE KASHI: Going back on the record.

3 We had recessed because I had finished the list, and  
4 I would at this time ask: is there anyone in council  
5 chambers who has not signed up to testify, who has not yet  
6 been heard, who would at this time still like to be heard?  
7 If so, could you please come forward.

8 (No response.)

9 JUDGE KASHI: Let the record show that there is no  
10 response.

11 I would like to take this opportunity to thank  
12 everybody who appeared here this afternoon on my behalf and  
13 on behalf of the Commission. The testimony that was  
14 provided is beneficial and will be considered, and I would  
15 invite you all to come to Harrisburg to the evidentiary  
16 hearings to see what is taking place down there during that  
17 phase of this proceeding; and again, thank you all for  
18 coming. And if there is nothing from counsel, we stand  
19 adjourned. Thank you very much.

20 (Whereupon, at 2:11 p.m., the public input hearing  
21 was adjourned, to be reconvened at 7:00 p.m., on this same  
22 day, in Pottsville, Pennsylvania.)

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C E R T I F I C A T E

I hereby certify, as the stenographic reporter, that the foregoing proceedings were taken stenographically by me, and thereafter reduced to typewriting by me or under my direction; and that this transcript is a true and accurate record to the best of my ability.

COMMONWEALTH REPORTING COMPANY, INC.

By: Sandra Milus Brown

Sandra Milus Brown

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FORM 2