



17 North Second Street
12th Floor
Harrisburg, PA 17101-1601
717-731-1970 Main
717-731-1985 Main Fax
www.postschell.com

David B. MacGregor

dmacgregor@postschell.com
215-587-1197 Direct
215-320-4879 Direct Fax
File #: 2507/140074

August 1, 2013

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Larry Moyer v. PPL Electric Utilities Corporation
Docket No. C-2011-2273645

Dear Secretary Chiavetta:

This letter is in response to the third request of the Complainant Larry Moyer (“Complainant”) to reopen the record in the above-referenced proceeding. This letter is being filed by PPL Electric Utilities Corporation (“PPL Electric”) in lieu of a formal answer to the third request to reopen the record.

On May 7, 2013, the Complainant filed a Petition to Reopen the Record (“First Petition”). The First Petition seeks to introduce the electric bills and usage/generation data that have been issued since the evidentiary hearing through the most current bill. On May 20, 2013, PPL Electric timely filed and served an Answer to the First Petition. As explained therein, the information sought to be admitted into the record is cumulative to the extensive evidence that was properly considered by the Administrative Law Judge and, therefore, the Complainant’s request to reopen the required should be denied. The Complainant’s First Petition and PPL Electric’s Answer thereto, currently are pending for disposition.

On May 20, 2013, Complainant filed what appeared to be a second Petition to Reopen the Record (“Second Petition”). The Second Petition seeks to introduce additional electric bills and usage/generation data. On May 31, 2013, PPL Electric filed a letter in lieu of a formal answer to the Second Petition, stating that the Complainant’s Second Petition should be denied for the reasons previously explained in PPL Electric’s Answer to the First Petition.

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On July 31, PPL Electric received what appears to be a third Petition to Reopen the Record ("Third Petition"). The Third Petition again seeks to introduce additional monthly electric bills and usage/generation data. Based on the contents of Complainant's letter, it appears that the Complainant believes that the record in this proceeding remains open and that any additional information, *i.e.*, any new monthly bills issued by PPL Electric, should be considered by the Commission. However, the record in this matter has closed and these additional materials are not properly before the Commission. Further, for the reasons previously explained in PPL Electric's Answer to the First Petition, the Commission should deny the Complainant's Third Petition.

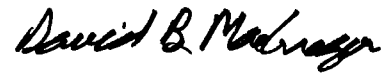
PPL Electric notes that the Complainant's Third Petition indicates that a petition for oral argument has been submitted to and is currently pending before the Commission. PPL Electric has not been served with a petition for oral argument and none of the three Petitions to Reopen the Record request oral argument. Pursuant to Section 5.538(b) of the Commission's regulations, in a case where exceptions are filed, a request for oral argument must be filed in writing together with exceptions to the initial decision. 52 Pa. Code § 5.538(b). The Complainant failed to file a request for oral argument concomitantly with his Exceptions and, therefore, even if the Complainant's Petitions to Reopen the Record requested oral argument, such request is untimely and procedurally improper. Furthermore, even if the Complainant's Petitions to Reopen the Record requested oral argument, the Petitions failed to allege any issue that is unique or contains a general policy question of such importance that oral argument would be appropriate. *See Petition of Metropolitan Edison Company; Barry G. Peck v. Metropolitan Edison Company; Petition of West Penn Power Company*, Docket Nos. P-00900429, et al., 1993 Pa. PUC LEXIS 69 (April 2, 1993) (a request for oral argument must raise an issue that is unique or contains a general policy question of such importance that oral argument would be appropriate). For these reasons, the Complainant's request for oral argument, to the extent that such request was filed with the Commission, should be denied.

PPL Electric requests that the Complainant's on-going requests to reopen the record be summarily denied. It is apparent that the Complainant believes that the record should be reopened to accept the new electric bills, usage data, and generation data produce since the evidentiary hearing. Under the Complainant's theory, the record could never be closed in this matter because new electric bills, usage data, and generation data will be produced each month. If the Commission accepts the Complainant's theory, the record would have to be reopened each month to admit the monthly electric bills and usage/generation data. This is simply an unworkable and impractical standard, particularly where none of the Complainant's Petitions to Reopen the Record allege that PPL Electric has modified or changed the manner in which it applies virtual metering. The Commission can fully decide the issues pending before it without the need to reopen the record to admit the cumulative documents produced each month. Therefore, PPL Electric respectfully requests that the Complainant's on-going requests to reopen be summarily denied and, for the reasons more fully explained in the Initial Decision and PPL Electric's Replies to Exceptions, the Complainant's Exceptions be denied.

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Copies of this letter will be provided as indicated on the certificate of service.

Respectfully submitted,

A handwritten signature in black ink that reads "David B. MacGregor". The signature is written in a cursive style with a large, prominent initial "D".

David B. MacGregor

DBM/jl

cc: Certificate of Service

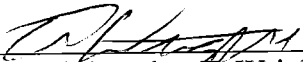
CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing have been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA FIRST CLASS MAIL

Jay Larry Moyer
370 West Johnson Street
Apartment C-1
Philadelphia, PA 19144

Date: August 1, 2013



Christopher T. Wright