



August 2, 2013

**David P. Zambito**

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**VIA HAND DELIVERY**

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: Pennsylvania Public Utility Commission v. NRG Energy Center Harrisburg LLC;  
Docket No. R-2013-2350265 et al.; JOINT STIPULATION FOR ADMISSION OF  
EVIDENCE**

Dear Secretary Chiavetta:

Enclosed for filing is the original Joint Stipulation for Admission of Evidence ("Stipulation") in the above-referenced proceeding. Also enclosed, pursuant to the terms of the Stipulation, are two (2) copies of each filing, statement, and exhibit referenced in the Stipulation for inclusion in the evidentiary record in the above-referenced proceeding.

A CD-Rom of the Stipulation is also enclosed for your convenience. Please note that electronic copies of each filing, statement, and exhibit referenced in the Stipulation were previously provided to the Secretary's Bureau at the time of NRG Energy Center Harrisburg LLC's base rate filing and are already posted on the Commission's website. Copies of the Stipulation are being served on the Presiding Officer, Administrative Law Judge Dennis J. Buckley, and on all parties, as indicated on the enclosed Certificate of Service.

Thank you for your attention to this matter. If you have any questions, please direct them to me. Please date-stamp the extra copy and return it with our messenger.

Sincerely,

COZEN O'CONNOR

By: David P. Zambito  
Counsel for NRG Energy Center Harrisburg LLC

DPZ/kmg  
Enclosures

cc: Honorable Dennis J. Buckley  
Per Certificate of Service

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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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Administrative Law Judge  
Dennis J. Buckley

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Pennsylvania Public Utility Commission, <i>et al.</i>	:	
	:	Docket Nos. R-2013-2350265
v.	:	C-2013-2366273
	:	C-2013-2367232
NRG Energy Center Harrisburg LLC	:	

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**JOINT STIPULATION FOR ADMISSION OF EVIDENCE**

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NRG Energy Center Harrisburg LLC (“NRG”), the Bureau of Investigation & Enforcement (“I&E”), the Office of Consumer Advocate (“OCA”), and the Office of Small Business Advocate (“OSBA”), all parties to the above-captioned proceeding (hereinafter, collectively referred to as the “Stipulating Parties”), file this “Joint Stipulation for Admission of Evidence” (“Stipulation”) in the above-captioned proceeding.<sup>1</sup> In support of the Stipulation, the Stipulating Parties represent as follows:

1. Paragraphs 1 through 12 (regarding “Background”) of the “Joint Petition for Approval of Unanimous Settlement of All Issues” (“Settlement”), filed on this same date in the above-captioned proceeding, are hereby incorporated by reference as if fully set forth.

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<sup>1</sup> All Stipulation Parties are signatory parties to the “Joint Petition for Approval of Unanimous Settlement of All Issues”) filed in the above-captioned proceeding on this same date.

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2. The Stipulating Parties hereby jointly stipulate to the authenticity of and admission into the evidentiary record in this matter of the following filings, statements, and exhibits contained in NRG's base rate filing made on April 12, 2013:

- a. Tariff Supplement No. 48
- b. Supporting information required by 52 Pa. Code § 53.52, Subsection (a)
  - (1) Statement of Reasons for Tariff Change
  - (2) Customers Served by NRG Harrisburg
  - (3) Customers Affected by Tariff Change
  - (4) Effect of Tariff Change on NRG Harrisburg Customers
  - (5) Effect of Proposed Tariff Change on NRG Harrisburg's Revenue and Expenses
  - (6) Effect of Change on Service Provided by NRG Harrisburg
  - (7) Factors Considered in Making a Change in Rates
  - (8) Utility Studies
  - (9) NRG Harrisburg Customer Polls
  - (10) NRG Harrisburg's Plans for Implementing Tariff Change
  - (11) Commission Orders Applicable to Filing
    - 2008 Base Rate Case Settlement Approval
    - NRG Energy, Inc. Affiliated Interest Agreement Approval
    - NRG Harrisburg Cooling LLC Affiliated Interest Agreement Approval (including responses to PA PUC Staff data requests)
    - NRG Energy Center Paxton LLC Affiliated Interest Agreement Approval (including responses to PA PUC Staff data requests)
    - 2012 Application to Abandon Service Approval
- c. **NRGH Statement No. 1**, Prepared Direct Testimony of Jan P. Sockel, General Manager & Vice President, NRG Energy Center Harrisburg LLC (including **NRGH Exhibit Nos. JPS-1 through JPS-3**).
- d. **NRGH Statement No. 2**, Prepared Direct Testimony of Keith L. Li, Controller, NRG Energy Center Harrisburg LLC (including **NRGH Exhibit Nos. KLL-1 through KLL-3**).

3. This Stipulation is presented by the Stipulating Parties in conjunction with the Settlement, which is intended to settle all issues in the above-captioned proceeding. If the Commission rejects or otherwise modifies the Settlement, the Stipulating Parties reserve their

respective procedural rights to object to the admission of the above-referenced filings and exhibits, submit testimony and additional exhibits, and cross-examine witnesses at on-the-record evidentiary hearings.

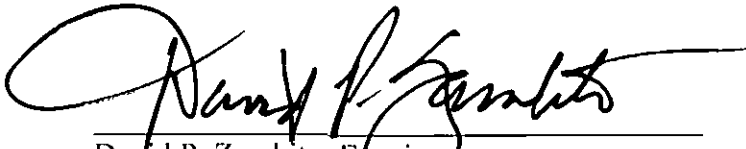
4. This Stipulation is being presented, in conjunction with the Settlement, only to resolve issues in the above-captioned proceeding. Regardless of whether this Stipulation is approved or not, no adverse inference shall be drawn, nor shall prejudice result to any Signatory Party in this or any future proceeding as a consequence of this Stipulation, or any of its terms or conditions.

5. Two copies of the foregoing filings, statements, and exhibits are being filed with the Commission's Secretary for inclusion in the official case record upon approval of this Stipulation.

6. Attached hereto as **Appendix A** is a proposed "Order Granting Joint Stipulation for Admission of Evidence" for consideration by the Presiding Officer.

WHEREFORE, the Stipulating Parties, by their respective counsel, respectfully request that the Honorable Administrative Law Judge Dennis J. Buckley admit the foregoing filings, statements, and exhibits into the record in this proceeding on the terms and conditions set forth in the Stipulation.

Respectfully submitted,



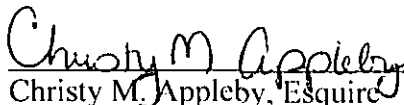
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Date: 8/2/13



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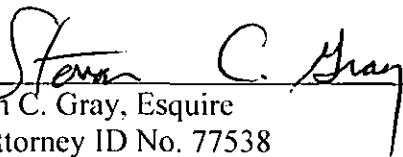
Date: August 2, 2013



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Date: August 2, 2013

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Date: 8/2/2013

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# APPENDIX A

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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, <i>et al.</i>	:	
	:	Docket Nos. R-2013-2350265
v.	:	C-2013-2366273
	:	C-2013-2367232
NRG Energy Center Harrisburg LLC	:	

**ORDER GRANTING JOINT STIPULATION  
FOR ADMISSION OF EVIDENCE**

On August 2, 2013, NRG Energy Center Harrisburg LLC, the Bureau of Investigation & Enforcement of the Pennsylvania Public Utility Commission, the Office of Consumer Advocate, and the Office of Small Business Advocate, all parties to the above-captioned proceeding (hereinafter, collectively referred to as the “Stipulating Parties”), filed a “Joint Stipulation for Admission of Evidence” (“Stipulation”) in the above-captioned proceeding. Each of the Stipulating Parties stipulated to the authenticity of the filings, statements, and exhibits listed in the Stipulation and requested that they be admitted into the record of this proceeding on the terms and conditions set forth in the Stipulation. The Stipulation is attached to this Order.

As this request is reasonable, it will be granted.

THEREFORE,

IT IS ORDERED:

1. That the Stipulation, filed August 2, 2013, and the filings, statements, and exhibits listed therein are admitted into the record of this proceeding on the terms and conditions set forth in the Stipulation; and,

2. That two copies of each filing, statement, and exhibit listed in the Stipulation be filed with the Secretary's Bureau of the Commission, unless previously filed.

Date: \_\_\_\_\_

\_\_\_\_\_  
Dennis J. Buckley  
Administrative Law Judge

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**CERTIFICATE OF SERVICE**  
**Docket No. R-2013-2350265**

I hereby certify that I have this day served a true copy of the Joint Stipulation for Admission of Evidence, upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

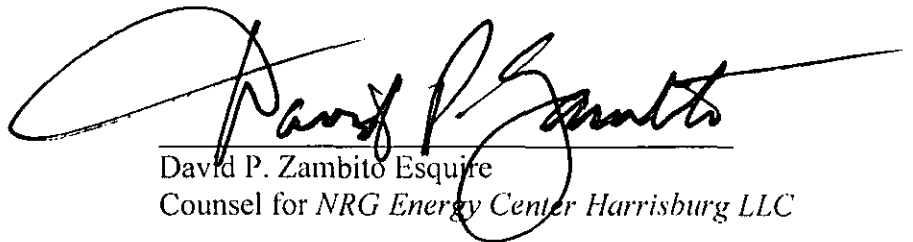
**VIA FIRST CLASS MAIL:**

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DATED: August 2, 2013

  
\_\_\_\_\_  
David P. Zambito Esquire  
Counsel for *NRG Energy Center Harrisburg LLC*

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