



THOMAS, LONG,
NIESEN & KENNARD

Attorneys and Counsellors at Law

CHARLES E. THOMAS, III
Direct Dial: 717.255.7611
cet3@thomaslonglaw.com

April 9, 2014

VIA ELECTRONIC FILING

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

Re: Petition of PECO Energy Company for Approval of a Default Service
Program for the Period from June 1, 2015 through May 31, 2017
Docket No. P-2014-2409362

Dear Secretary Chiavetta:

Enclosed for filing on behalf of Noble Americas Energy Solutions LLC is its Prehearing Conference Memorandum in the above-referenced matter. Copies of the Memorandum are being served upon the persons and in the manner set forth in the certificate of service attached to it.

Should you have any questions or require additional information, please do not hesitate to contact me.

Very truly yours,

THOMAS, LONG, NIESEN & KENNARD

By

Charles E. Thomas, III

Encl.

cc: Certificate of Service (w/encl.)
Becky Merola (w/encl.)

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of PECO Energy Company :
for Approval of Its Default Service Program : Docket No. P-2014-2409362
for the Period from June 1, 2015 Through :
May 31, 2017 :

**PREHEARING CONFERENCE MEMORANDUM
OF
NOBLE AMERICAS ENERGY SOLUTIONS LLC**

AND NOW, comes Noble Americas Energy Solutions LLC (“Noble”), by its attorneys, and submits this Prehearing Conference Memorandum in accordance with the Prehearing Order of Administrative Law Judge Cynthia Williams Fordham, dated April 3, 2014, and in connection with the Prehearing Conference scheduled to be held in the above-captioned matter on April 10, 2014.

I. Introduction

On or about March 10, 2014, PECO Energy Company (“PECO”) filed a petition seeking Commission approval of its third Default Service Program (“Program”) to establish terms and conditions under which PECO will acquire and supply default service for the period from June 1, 2015 through May 31, 2017. PECO requests Commission approval of its Program by December 2014.

Noble is a California Limited Liability Company authorized to conduct business in the Commonwealth of Pennsylvania. Noble is licensed by the Commission as an electric generation supplier (“EGS”) at Docket No. A-110141 to offer, render, furnish or supply electricity and electric generation supplier services to large commercial (over 25kW), industrial, and governmental customers, and to residential small commercial (25kW and under) customers (limited to mixed

meters), throughout the Commonwealth, including PECO's service territory. Noble is one of the leading providers of retail energy services in the United States.

On April 1, 2014, Noble filed a Petition to Intervene ("Petition") in this proceeding. Noble incorporates by reference the statements and information provided in its Petition and respectfully requests that Judge Fordham grant its intervention.

II. Counsel for Noble

The name, business addresses, telephone and fax numbers, and email address of Noble's counsel are:

Charles E. Thomas III, Esq.
THOMAS, LONG, NIESEN & KENNARD
212 Locust Street
P.O. Box 9500
Harrisburg, PA 17108-9500
Tel: (717) 255-7611
Fax: (717) 236-8278
cet3@thomaslonglaw.com

III. Noble's Participation

Noble will participate in this proceeding as an active party. It requests that copies of all discovery responses, including any discovery responses that may have already been distributed, be provided to counsel for Noble. As necessary and appropriate, Noble will conduct its own discovery, present testimony, cross examine witnesses, and submit briefs for Commission consideration.

IV. Proposed Plan and Schedule of Discovery

Noble will cooperate with Judge Fordham and all other parties at the Prehearing Conference to develop a proposed plan and schedule of discovery, as well as any reasonable and appropriate modifications to the Commission's Rules of Practice and Procedure for the conduct of discovery as are necessary.

V. Settlement

Noble will actively participate in settlement discussions as they may occur.

VI. Issues

Noble is in the process of identifying the issues it may pursue in this proceeding. Upon completing its review of PECO's filing and direct testimony, Noble may support, oppose or propose modifications to PECO's proposed Program. Noble reserves the right to present its position in accordance with the litigation schedule which will be finalized at the Prehearing Conference.

VII. Amount of Hearing Time Needed

Noble will cooperate with the other parties in determining the amount of hearing time needed based on the number of witnesses they may identify.

VIII. Witnesses

Noble is in the process of identifying any potential witnesses it may call and their intended subject matter. Noble agrees to notify Judge Fordham and the parties whether it will be submitting direct testimony in this proceeding and reserves the right to submit rebuttal and surrebuttal testimony as it deems appropriate. Noble will comply with all deadlines established in the proceeding for the service of testimony.

IX. Schedule for Submission of Testimony, Hearings, and Briefs

PECO presented a proposed schedule for the submission of testimony, hearings, and briefs in its petition. Noble is not proposing any modifications to that schedule and will cooperate with Judge Fordham and the other parties to finalize the schedule at the Prehearing Conference.

X. Email Distribution List

In addition to the undersigned counsel, Noble requests that Becky Merola, Government Affairs East for Noble (bmerola@noblesolutions.com), be included on the email distribution list established for this proceeding.

Respectfully submitted,

By 

Charles E. Thomas, III, Esq. (PA ID # 201014)
THOMAS, LONG, NIESEN & KENNARD
212 Locust Street, Suite 500
P.O. Box 9500
Harrisburg, PA 17108-9500
Tel: (717) 255-7600
cet3@thomaslonglaw.com

*Counsel for
Noble Americas Energy Solutions LLC*

DATED: April 9, 2014

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of PECO Energy Company :
for Approval of Its Default Service Program : Docket No. P-2014-2409362
for the Period from June 1, 2015 Through :
May 31, 2017 :

CERTIFICATE OF SERVICE

I hereby certify that I have this 9th day of April, 2014, served a true and correct copy of the foregoing Prehearing Conference Memorandum of Noble Americas Energy Solutions LLC, upon the persons and in the manner set forth below:

Electronic Mail and First Class Mail, Postage Prepaid

Honorable Cynthia Williams Fordham
Administrative Law Judge
Pennsylvania Public Utility Commission
801 Market Street, Suite 4063
Philadelphia, PA 19107
cfordham@pa.gov

Anthony E. Gay, Esq.
Exelon Business Services Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
Anthony.Gay@exeloncorp.com

Thomas P. Gadsden, Esq.
Kenneth M. Kulak, Esq.
Brooke E. McGlinn, Esq.
Morgan, Lewis & Bockius, LLP
1701 Market Street
Philadelphia, PA 19103-2921
tgadsden@morganlewis.com
kkulak@morganlewis.com
bmeglinn@morganlewis.com

Daniel Clearfield, Esq.
Deanne M. O'Dell, Esq.
Sarah C. Stoner, Esq.
Eckert Seamans Cherin & Mellott, LLC
213 Market Street, 8th Floor
Harrisburg, PA 17101
dclearfield@eckertseamans.com
dodell@eckertseamans.com
sstoner@eckertseamans.com

Christy M. Appleby, Esq.
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923
cappleby@paoca.org

Elizabeth Rose Triscari, Esq.
Office of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17101
ctriscari@pa.gov

David P. Zambito, Esq.
Cozen O'Connor
305 N. Front Street, Suite 400
Harrisburg, PA 17101-1236
dzambito@cozen.com

Stephen L. Huntoon, Esq.
NextEra Energy Resources, LLC
801 Pennsylvania Avenue, N.W., Suite 220
Washington, D.C. 20001
shuntoon@nexteraenergy.com

Johnnie E. Simms, Esq.
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
P.O. Box 3265
Harrisburg, PA 17105-3265
josimms@pa.gov

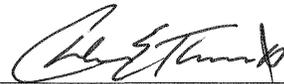
Patrick M. Cicero, Esq.
Harry S. Geller, Esq.
Pennsylvania Utility Law Project
118 Locust Street
Harrisburg, PA 17101
pulp@palegalaid.net

Charis Mincavage, Esq.
Adeolu A. Bakare, Esq.
McNees Wallace & Nurick LLC
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166
cmincavage@mwn.com
abakare@mwn.com

Michael A. Gruin, Esq.
Stevens & Lee
17 N. Second Street, 16th Floor
Harrisburg, PA 17101
mag@stevenslee.com

Todd S. Stewart, Esq.
Hawke McKeon & Sniscak LLP
100 N. Tenth Street
P.O. Box 1778
Harrisburg, PA 17105-1778
tsstewart@hmslegal.com

Amy M. Klodowski, Esq.
FirstEnergy Solutions Corp.
800 Cabin Hill Drive
Greensburg, PA 15601
aklodow@firstenergycorp.com



Charles E. Thomas, III (PA ID # 201014)