

# John J. Gallagher

Attorney at Law

711 Forrest Road, Harrisburg, PA 17112

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July 17, 2014

## VIA HAND DELIVERY

Honorable Rosemary Chiavetta  
Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

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**Re: Joint Stipulation for Admission of Testimony  
and Exhibits into the Evidentiary Record  
Docket No. R-2013-2397237 (Electric)**

Dear Secretary Chiavetta:

On behalf of Pike County Light & Power Company ("Pike"), the bureau of Investigation & Enforcement ("I&E"), the Office of Consumer Advocate ("OCA") and the Office of Small Business Advocate ("OSBA"), please find enclosed an original and one (1) copy of the Joint Stipulation for Admission of Testimony and Exhibits into the Evidentiary Record in the above-captioned matter.

Please contact me at your convenience should you have any questions concerning these responses.

Sincerely,



John J. Gallagher

Enclosures

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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Pennsylvania Public Utility Commission	:	Docket Nos. R-2014-2397237
Office of Consumer Advocate	:	C-2014-2405317
Office of Small Business Advocate	:	C-2014-2408728
Milford Township	:	C-2014-2408736
v.	:	(Electric Rate Case)
Pike County Light & Power Co. Inc.	:	

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**JOINT STIPULATION  
FOR ADMISSION OF TESTIMONY AND EXHIBITS INTO THE  
EVIDENTIARY RECORD**

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**TO ADMINISTRATIVE LAW JUDGE CHRISTOPHER P. PELL:**

Pike County Light & Power Company ("Pike"), 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"), respectfully submit this "Joint Stipulation for Admission of Testimony and Exhibits into the Evidentiary Record" ("Stipulation") in the above-captioned proceeding in lieu of being required to introduce such documents at an evidentiary hearing. In support of the Stipulation, the Stipulating Parties represent as follows:

1. The "Joint Petition for Settlement of Rate Investigation" ("Settlement") and all attachments thereto, submitted by Pike, I&E, OCA and OSBA concurrent with the submission of this instant Stipulation in the above-captioned proceeding, is hereby incorporated by reference as though fully set forth herein.

2. The Stipulating Parties hereby jointly stipulate to the authenticity and admission of the Pike filing, the previously distributed testimony and exhibits of Pike, I&E, OCA and OSBA in their entirety, into the evidentiary record in this matter for the purpose of providing the record with supporting documentation that ultimately, through the compromises achieved through negotiation, resulted in the terms and conditions of the instant Settlement.

4. In accordance with the procedural schedule, and in preparation for the evidentiary hearings to be held in this matter, the Joint Petitioners each served the ALJ and each other with the documents which are listed in the attached Appendix "A".

5. As noted above, the Joint Petitioners were able to reach a comprehensive settlement of all issues raised in connection with Pike's rate increase request. On the basis of the Settlement, the further hearings scheduled in this proceeding were duly cancelled by ALJ Pell,

6. If Administrative Law Judge Pell accepts this instant Stipulation and he and the Commission approve the terms and conditions set forth in the Joint Petition without modification, this matter will be deemed to be fully resolved.

7. Upon approval and adoption of this instant Stipulation, each Joint Petitioner has or will file one (1) original and one (1) copy of each testimony and exhibit identified in Paragraph 4, above, along with a signed verification from the sponsoring witness.

8. The Stipulating Parties hereby represent that the requested admission of the Company filing and the Pike, I&E, OCA and OSBA testimony and exhibits provide

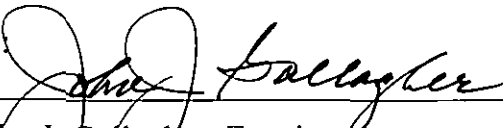
sufficient record evidence for the submitted Settlement to satisfy the legal standard for approval. The Commission has stated that “[T]he prime determinant in the consideration of a proposed Settlement is whether or not it is in the public interest.”<sup>1</sup> And specifically, the Commission recognizes that a settlement “reflects a compromise of the positions held by the parties of interest, which, arguably fosters and promotes the public interest.”<sup>2</sup>

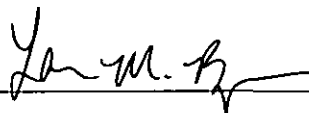
9. The Stipulating Parties therefore hereby request that Administrative Law Judge Pell accept and adopt this instant Stipulation as part of the consideration of the foregoing Joint Petition for Settlement.

Respectfully submitted,

**PIKE COUNTY LIGHT & POWER  
COMPANY (ELECTRIC)**

**OFFICE OF CONSUMER ADVOCATE**

by:   
\_\_\_\_\_  
John J. Gallagher, Esquire  
711 Forrest Road  
Harrisburg, PA 17112

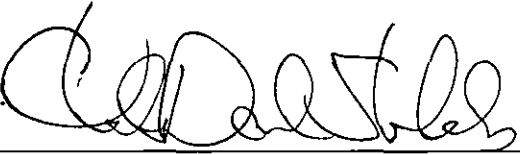
by:   
\_\_\_\_\_  
Aron J. Beatty, Esquire  
Office of Consumer Advocate  
555 Walnut Street  
Forum Place, 5th Street  
Harrisburg, PA 17101-1921

<sup>1</sup> *Pa. PUC v. Philadelphia Electric Company*, 60 PA PUC 1, 22 (1985).

<sup>2</sup> *Pa. PUC v. C S Water and Sewer Associates*, 74 PA PUC 767, 771 (1991).

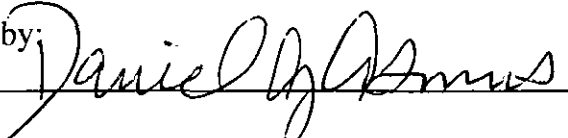
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**BUREAU OF INVESTIGATION AND  
ENFORCEMENT:**

by: 

Charles Daniel Shields  
Senior Prosecutor  
Bureau of Investigation & Enforcement  
Commonwealth Keystone Building  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**OFFICE OF SMALL BUSINESS  
ADVOCATE**

by: 

Daniel G. Asmus, Esquire  
Office of Small Business Advocate  
300 North Second Street- Suite 1102  
Harrisburg, PA 17101

Dated: July 14, 2014

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**Appendix A**

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**Pike Docket No. 2397237**

**Electric:**

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**OCA**

PA PUBLIC UTILITY COMMISSION  
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**Direct Testimony**

- **OCA St. 1, Direct Testimony of David J. Effron (Schedules A through D; Appendix A)**
- **OCA St. 2, Direct Testimony of Aaron L. Rothschild (Schedules ALR 1 through ALR 7; Appendix A)**
- **OCA St. 3, Direct Testimony of Scott J. Rubin (Schedules SJR-1 through SJR-11; Appendix A)**

**Rebuttal Testimony**

- **OCA St. 3R, Rebuttal Testimony of Scott J. Rubin (Schedules SJR-R1 through SJR-R2)**

**Surrebuttal testimony**

- **OCA St. 1-SR, Surrebuttal Testimony of David J. Effron (Schedules A through D)**
- **OCA St. 2-SR, Surrebuttal Testimony of Aaron L. Rothschild**

**I&E**

**Direct testimony**

<b>Emily Sears</b>	<b>I&amp;E Statement No. 1; I&amp;E Exhibit No. 1</b>
<b>Christine Wilson</b>	<b>I&amp;E Statement No. 2; I&amp;E Exhibit No. 2</b>
<b>Ethan H Cline</b>	<b>I&amp;E Statement No. 3; I&amp;E Exhibit No. 3</b>

**Surrebuttal Testimony**

<b>Emily Sears</b>	<b>I&amp;E Statement No. 1-SR</b>
<b>Christine Wilson</b>	<b>I&amp;E Statement No. 2-SR</b>
<b>Ethan H Cline</b>	<b>I&amp;E Statement No. 3-SR</b>

**Pike**

**Direct Testimony**

**Accounting Panel - Kenneth A. Kosior, Joseph Miller and Peter Carmona;**  
**Forecasting Panel - Patrick F. Hourihane and Hock G. Ng;**

**Electric Rate Panel – Cheryl Ruggiero and Lucy Villeta;  
Charles D. Hutcheson - Manager, Property Tax &  
Depreciation, Consolidated Edison Company of New  
York, Inc.;**  
**Robert B. Hevert, Managing Partner, Sussex Economic  
Advisors;**  
**Wayne A. Banker – Chief Engineer of Distribution  
Engineering, Orange and Rockland Utilities, Inc.  
("O&R"); and**  
**E. Patrick Burke, Director – Control Center and Substation  
Operations, O&R.**

**Rebuttal Testimony**

**Accounting Panel  
Rate panel  
Robert Hevert  
Wayne Banker**

**OSBA**

**Direct Testimony**

**Robert D. Knecht      OSBA Statement No. 1; Exhibit IEC-1**

**Rebuttal Testimony**

**Robert D. Knecht      OSBA Statement No. 2**

**Surrebuttal Testimony      OSBA Statement No. 3**

## CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the participants, listed below, in the manner indicated below, and in accordance with the requirements of § 1.54 (relating to service by a party).

### VIA HAND DELIVERY

Charles Daniel Shields, Esquire  
Bureau of Investigation and Enforcement  
PA Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105- 3265

Daniel Asmus, Esquire  
Office of Small Business Advocate  
Commerce Building, Suite 1102  
300 North Second Street  
Harrisburg, PA 17101

### VIA HAND DELIVERY

Aron Beatty, Esquire  
Office of Consumer Advocate  
555 Walnut Street, 5<sup>th</sup> Floor  
Forum Place  
Harrisburg, PA 17101-1923

### VIA EXPRESS MAIL

Hon. Christopher Pell  
Office of Administrative Law judge  
PA Public Utility Commission  
801 Market Street  
4<sup>th</sup> Floor, Suite 4063  
Philadelphia, PA 19107

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Dated: July 17, 2014

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John J. Gallagher, Esq.  
Counsel for Pike County  
Light & Power Company  
711 Forrest Road  
Harrisburg, PA 17112  
jgallagher@jglawpa.com

*John J. Gallagher  
711 Forrest Rd  
Harrisburg PA 17111*

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*Honorable Rosemary Chiavetta  
Secretary  
Pennsylvania Public Utility Commission  
601 Commonwealth Ave.  
Harrisburg, PA 17101*

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