



COMMONWEALTH OF PENNSYLVANIA

August 19, 2014

E-FILED

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

**Re: Commonwealth of Pennsylvania, by Attorney General Kathleen G. Kane, Through
the Bureau of Consumer Protection and Tanya J. McCloskey, Acting Consumer
Advocate, Complainants v. Blue Pilot Energy, LLC, Respondent
Docket No. C-2014-2427655**

Dear Secretary Chiavetta:

I am delivering for filing today the original of the Prehearing Memorandum, on behalf of the Office of Small Business Advocate, in the above-captioned proceeding.

Two copies have been served today on all known parties in this proceeding. A Certificate of Service to that effect is enclosed.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Sharon E. Webb".

Sharon E. Webb
Assistant Small Business Advocate
Attorney ID No. 73995

Enclosures

cc: Parties of Record

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Commonwealth of Pennsylvania, by Attorney	:	
General Kathleen G. Kane, Through the Bureau	:	
Of Consumer Protection	:	
And	:	
Tanya J. McCloskey, Acting Consumer	:	
Advocate	:	Docket No. C-2014-2427655
Complainants	:	
v.	:	
Blue Pilot Energy, LLC	:	
Respondent	:	

**OFFICE OF SMALL BUSINESS ADVOCATE
PREHEARING MEMORANDUM**

I. INTRODUCTION

The Office of Small Business Advocate (“OSBA”) is authorized to represent the interests of small business customers of utility services before the Pennsylvania Public Utility Commission (“Commission”) pursuant to the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 – 399.50 (“the Act”). In order to discharge this statutory duty, the Small Business Advocate deems it necessary to participate as a party to this proceeding. Representing the OSBA in this matter is Assistant Small Business Advocate Sharon E. Webb. Please address all correspondence in this matter as follows:

Sharon E. Webb
Assistant Small Business Advocate
Office of Small Business Advocate
300 North Second Street, Suite 1102
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)
swebb@pa.gov

II. FILING BACKGROUND

On June 20, 2014, the Office of Consumer Advocate filed a Joint Complaint with the Office of Attorney General through the Bureau of Consumer Protection against Blue Pilot Energy, LLC (“Blue Pilot” or the “Company”) alleging multiple violations of Pennsylvania law and Pennsylvania Public Utility Commission (“Commission”) orders and regulations.

In view of the foregoing, the Small Business Advocate intervened in this proceeding in order to protect the interests of the Company’s small business customers.

The OSBA filed a Notice of Intervention on July 10, 2014.

III. IDENTIFICATION OF WITNESSES AND TENTATIVE ISSUES

The OSBA has intervened in this proceeding to assure that the interests of commercial customers are protected. At this point, the OSBA intends to review the testimony and discovery of the other parties. Unless that review identifies a problem unique to commercial customers, the OSBA does not anticipate presenting a witness in this proceeding.

IV. SERVICE OF DOCUMENTS

The OSBA requests that all parties serve a hard copy of any document filed in this case upon the OSBA. In addition to hard copies of pleadings, briefs, and exceptions, the OSBA requests hard copies of responses to discovery propounded by the OSBA or any other party. Service by electronic mail only is not acceptable.

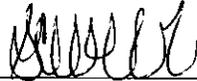
V. SETTLEMENT

The OSBA notes its willingness to enter into settlement discussions at the appropriate phase of this proceeding.

VI. HEARING AND BRIEFING SCHEDULE

The OSBA will cooperate with other parties to develop a procedural schedule.

Respectfully submitted,



Sharon E. Webb
Assistant Small Business Advocate
Attorney ID # 73995

Office of Small Business Advocate
300 North Second Street, Suite 1102
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)

Dated: August 19, 2014

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Commonwealth of Pennsylvania, by Attorney :
General Kathleen G. Kane, Through the Bureau :
of Consumer Protection, and Tanya J. :
McCloskey, Acting Consumer Advocate, :
Complainants : Docket No. C-2014-2427655
v. :
Blue Pilot Energy, LLC :
Respondent :**

CERTIFICATE OF SERVICE

I certify that I am serving two copies of the Prehearing Memorandum, on behalf of the Office of Small Business Advocate, by e-filing, e-mail, and/or first-class mail (unless otherwise noted) upon the persons addressed below:

Hon. Joel H. Cheskis
Administrative Law Judge
Pa. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105
(717) 787-1191
(717) 787-0481 (fax)
jcheskis@pa.gov
(E-mail and Hand Delivery)

Candis A. Tunilo, Esquire
Christy M. Appleby, Esquire
Kristine E. Robinson, Esquire
Office of Consumer Advocate
555 Walnut Street - 5th Floor
Harrisburg, PA 17101-1923
(717) 783-5048
(717) 783-7152 (fax)
ctunilo@paoca.org
cappleby@paoca.org
krobinson@paoca.org
(E-mail and Hand Delivery)

Blue Pilot Energy, LLC
250 Pilot Road - #300
Las Vegas, NV 89119
(First-class Mail Only)

Hon. Elizabeth H. Barnes
Administrative Law Judge
Pa. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105
(717) 787-1191
(717) 787-0481 (fax)
ebarnes@pa.gov
(E-mail and Hand Delivery)

Michael L. Swindler, Esquire
Stephanie M. Wimer, Esquire
Wayne T. Scott, Esquire
Bureau of Investigation and Enforcement
Pa. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105
(717) 787-1191
(717) 787-0481 (fax)
mwindler@pa.gov
stwimer@pa.gov
wascott@pa.gov
(E-mail and Hand Delivery)

Daniel S. Blynn, Esquire
3050 K Street, N.W. - Suite 400
Washington, DC 20007-5108
(First-class Mail Only)

Mark R. Robeck, Esquire
Daniel S. Blynn, Esquire
Kelley Drye & Warren LLP
3050 K Street, N.W. - #400
Washington, DC 20007
(202) 342-8400
(202) 342-8451 (fax)
(First-class Mail Only)

John M. Abel, Esquire
Margarita Tulman, Esquire
Bureau of Consumer Protection
Office of Attorney General
Strawberry Square - 15th Floor
Harrisburg, PA 17120
(717) 787-9707
(717) 705-3795 (fax)
jabel@attorneygeneral.com
mtulman@attorneygeneral.gov



Sharon E. Webb
Assistant Small Business Advocate
Attorney ID # 73995

Dated: August 19, 2014