



COMMONWEALTH OF PENNSYLVANIA

August 26, 2014

HAND DELIVERED

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

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SECRETARY'S BUREAU

**Re: Pennsylvania Public Utility Commission v. West Penn Power Company
Docket No. R-2014-2428742**

Dear Secretary Chiavetta:

On August 22, 2014, OSBA filed a Complaint in the above-captioned proceeding. It has come to our attention that the Complaint listed an incorrect tariff number. The attached revised Complaint contains the correct tariff number. Please substitute it for the Complaint previously filed.

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,

Daniel G. Asmus
Assistant Small Business Advocate
Attorney ID No. 83789

Enclosures

cc: Parties of Record
Robert D. Knecht

4. The respondent utility is:

West Penn Power Company
c/o First Energy Service Company
2800 Pottsville Pike
Pottsville, PA 19612

5. The Complainant is authorized and directed by the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 – 399.50, to represent the interests of small business consumers of utility services in matters before the Pennsylvania Public Utility Commission (“Commission”).

6. This Complaint is filed against the rates, terms and other provisions of Tariff Electric Pa. P.U.C. No. 40 (Tariff No. 40), which was filed on August 4, 2014, by West Penn Power Company (“West Penn” or “Company”). The proposed tariff, if approved by the Commission, would increase the total electric distribution revenues of Penn Power by approximately \$115.5 million per year. The Company’s proposed overall rate increase will be 8.4%.

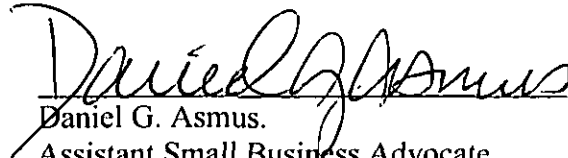
7. After preliminary review of the materials filed by the Company in support of the proposed Tariff, Complainant believes, and therefore avers, that those materials may be insufficient to justify the rate increase requested and that the Company’s present and proposed rates, rules, and conditions of service may be unjust, unreasonable, unduly discriminatory, and otherwise contrary to law, particularly as they pertain to small business customers.

8. Complainant believes, and therefore avers, that West Penn’s proposed rates and recovery schemes are or may be unjust, unreasonable and unlawfully discriminatory in violation of, inter alia, Sections 1301 and 1304 of the Public Utility Code, 66 Pa.C.S. §§1301 and 1304, and contrary to appropriate public policy and sound ratemaking considerations, and may not be supported by the materials filed by West Penn.

9. In view of the foregoing, the Small Business Advocate respectfully requests that the Pennsylvania Public Utility Commission:

- a. Suspend and investigate the operation of Tariff Electric Pa. P.U.C. No. 40 (Tariff No.40);
- b. At the conclusion of such investigation, reject the proposed new rates and recoveries in Tariff No. 40 to the extent required to insure that West Penn's rates are lawful, just, reasonable and not unduly discriminatory; and
- c. Grant such other relief as may be necessary or appropriate.

Respectfully submitted,


Daniel G. Asmus.
Assistant Small Business Advocate
Attorney I.D. No 83789

For:
John R. Evans
Small Business Advocate

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

Dated: August 26, 2014

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission :
v. : **Docket No. R-2014-2428742**
West Penn Power Company :

CERTIFICATE OF SERVICE

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

Hon. Charles E. Rainey, Jr.
Chief Administrative Law Judge
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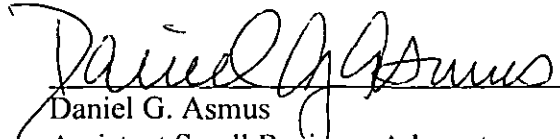
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