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October 6, 2014

**VIA HAND DELIVERY**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street – Filing Room  
Harrisburg, PA 17101

RE: *Pennsylvania Public Utility Commission v. West Penn Power Company, et al.*;  
Docket Nos. R-2014-2428742; R-2014-2428743; R-2014-2428744; and  
R-2014-2428745; **Prehearing Conference Memorandum of the  
Pennsylvania State University**

Dear Secretary Chiavetta:

Enclosed for filing with the Pennsylvania Public Utility Commission is the Prehearing Conference Memorandum of the Pennsylvania State University in the above-referenced proceedings. Copies have been served in accordance with the attached Certificate of Service.

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

Very truly yours,



Thomas J. Sniscak  
William E. Lehman

*Counsel to The Pennsylvania State University*

TJS/WEL/bes  
Enclosure

cc: Honorable Dennis J. Buckley, Administrative Law Judge  
Per Certificate of Service

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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

Pennsylvania Public Utility Commission :  
v. : Docket No. R-2014-2428743  
Pennsylvania Electric Company :

Pennsylvania Public Utility Commission :  
v. : Docket No. R-2014-2428744  
Pennsylvania Power Company :

Pennsylvania Public Utility Commission :  
v. : Docket No. R-2014-2428745  
Metropolitan Edison Company :

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**PREHEARING CONFERENCE MEMORANDUM OF  
THE PENNSYLVANIA STATE UNIVERSITY**

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**TO: THE HONORABLE DENNIS J. BUCKLEY**

On September 30, 2014, in anticipation of the Pennsylvania Public Utility Commission's ("Commission") suspension of the above captioned rate cases, an Order was issued by Administrative Law Judge Dennis J. Buckley ("ALJ") directing the parties to file a prehearing memorandum by Monday, October 6, 2014.

The Pennsylvania State University ("PSU"), by and through its attorneys in this matter, Hawke McKeon & Sniscak LLP, hereby submits its Prehearing Conference Memorandum.

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**I. ACCEPTANCE OF SERVICE**

Pursuant to Paragraph 2 of the Prehearing Conference Order, service of paper documents in this proceeding shall be accepted on behalf of PSU by:

Thomas J. Sniscak, Esq.  
Hawke McKeon & Sniscak LLP  
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Counsel for PSU also requests that any electronic service list utilized by the parties in this proceeding include Thomas J. Sniscak ([tjsniscak@hmslegal.com](mailto:tjsniscak@hmslegal.com)) and William E. Lehman ([welchman@hmslegal.com](mailto:welchman@hmslegal.com)). PSU is willing to extend the same courtesy upon request of any other party for any e-mails or electronic service to the parties.

**II. SETTLEMENT**

There have been no settlement discussions to date, but PSU is willing to participate in settlement discussions with the other parties.

**III. DISCOVERY**

PSU will work with all parties to this proceeding to develop a mutually-agreeable discovery plan and schedule, including but not limited to modifications to regulations or procedures.

**IV. SCHEDULE**

PSU is willing to work with the parties to develop a proposed schedule that gives sufficient time for necessary discovery and submission of testimony.

## **V. WITNESSES**

PSU reserves the right to offer the Direct Testimony of James L. Crist in support of its Formal Complaint. Mr. Crist's business address, telephone number and e-mail address are:

James L. Crist  
The Lumen Group, Inc.  
4226 Yarmouth Drive, Suite 101  
Allison Park, PA 15101  
(412) 487-9708  
jlcrist@aol.com

If called, Mr. Crist will testify about the reasonableness of the rates, terms and provisions contained in the tariffs for each rate filing captioned above and whether the tariff filings may allocate the proposed rate increases between customers in an unjust, unreasonable and discriminatory fashion. PSU requests that copies of all interrogatories, testimony and answers to interrogatories be e-mailed directly to Mr. Crist at [jlcrist@aol.com](mailto:jlcrist@aol.com).

PSU may offer direct testimony of a member of its Office of Physical Plant - Energy and Engineering Division regarding the same rates, terms and provisions contained in the tariffs of each rate filing captioned above and whether the tariff filings may allocate the proposed rate increases between customers in an unjust, unreasonable and discriminatory fashion. PSU may have additional direct witnesses should its discovery or its review of responses to the discovery of other parties raise additional issues.

PSU reserves the right to adopt any testimony of other witnesses, in whole or in part, and to offer additional witnesses and exhibits as may be necessary to address the testimony, exhibits, or evidence that may be presented by any party in this proceeding.

## **VI. ISSUES**

At this juncture, and subject to discovery and issues raised by other parties, PSU intends to address the following issues and sub-issues in this proceeding:

a. Whether the rates, terms and provisions contained in the above-referenced tariff filings are unjust, unreasonable and discriminatory.

b. Whether First Energy Companies' proposed rate increases are allocated between customers in an unjust, unreasonable and discriminatory fashion.

c. Whether the storm damage rider may be unjust and unreasonable.

PSU's position will be finalized in its evidence and briefs submitted under the schedule developed in this case.

## VII. EVIDENCE

PSU reserves the right to submit pre-filed direct testimony and associated exhibits addressing each issue identified in the preceding section. PSU may also present additional testimony and exhibits after discovery or in response to testimony or exhibits introduced by any party or witness in this proceeding.

WHEREFORE, The Pennsylvania State University respectfully submits this Prehearing Conference Memorandum in satisfaction of Your Honor's Prehearing Conference Order dated September 30, 2014.

Respectfully submitted,



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Date: October 6, 2014

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**CERTIFICATE OF SERVICE**

Docket Nos. R-2014-2428742; R-2014-2428743;  
R-2014-2428744; R-2014-2428745

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in the manner indicated below, and in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

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Dated: October 6, 2014

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