

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Uniform Cover and Calendar Sheet

1. REPORT DATE: January 11, 2005	2. BUREAU AGENDA NO. JAN-2005-OSA-0039*
3. BUREAU: Office of Special Assistants	
4. SECTION(S):	5. PUBLIC MEETING DATE:
6. APPROVED BY: Director: C.W. Davis 7-1827 Mgr/Spvr: K. Sophy 7-8108 Legal Review:	January 13, 2005
7. PERSONS IN CHARGE: K. House 2-8495	9. EFFECTIVE DATE OF FILING: NOTE: Pa.R.A.P. No. 1701(b) requires action at the Public Meeting of January 18, 2005.
8. DOCKET NO.: R-00049255	

DOCKETED
MAR 03 2005

- 10. (a) CAPTION (abbreviate if more than 4 lines)**
(b) Short summary of history & facts, documents & briefs
(c) Recommendation

(a) Petitions for Reconsideration of PP&L Industrial Customer Alliance (PPLICA), the Office of Trial Staff (OTS), and Citizens for Pennsylvania's Future (PennFuture) of the Opinion and Order entered December 22, 2005 which approved rate relief for PPL Electric Utility, Inc. (PPL).

(b) On December 22, 2005, the Commission entered its Opinion and Order which approved, as modified, PPL's request for rate relief at Commission Docket R-00049255. On January 5 and January 6, 2005, PPLICA, the OTS and PennFuture filed Petitions for Reconsideration seeking reconsideration of the Commission's December 22, 2005 Opinion and Order. Pursuant to Pennsylvania Rule of Appellate Procedure No. 1701(b), Pa.R.A.P. No. 1701(b), in the event appellate review of the December 22, 2004 Opinion and Order is sought, the Commission must act within thirty days of the entry of the December 22, 2004 Opinion and Order to retain jurisdiction over three Petitions for Reconsideration.

(c) The Office of Special Assistants recommends that the Commission adopt the proposed Opinion and Order which grants reconsideration pending further review of, and consideration on, the merits of each of the Petitions for Reconsideration.

Order DOC No. 518620

Calendar DOC No. 518739

11. MOTION BY: Commissioner Chm. Holland
SECONDED: Commissioner Bloom

Commissioner Thomas - Recusing
 Commissioner Pizzingrilli - Yes
 Commissioner

CONTENT OF MOTION: Staff recommendation adopted.

**DOCUMENT
FOLDER**



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

January 13, 2005

R-00049255, et al

PAUL E RUSSELL ESQUIRE
PPL ELECTRIC UTILITIES CORP
D/B/A PPL UTILITIES
TWO NORTH NINTH STREET
ALLENTOWN PA. 18101-1179

**DOCUMENT
FOLDER**

Pennsylvania Public Utility Commission
U.S. Department of Defense & Federal Executive Agencies
PPL Industrial Customer Alliance
Office of Small Business Advocate
Office of Consumer Advocate
Anthony J. Graziano
Brenda Hoover
Eric Joseph Epstein
Victoria K. Mackin, et al
Cheryl & Jeremy Ebert
Martha Wells
Margaret M. Stuski
Wal-Mart Store East, LP
Pennsylvania Energy Consortium
Donald F. McGarrigle
Curvin L. Snyder
William J. Junkin, III
Philip A. Trump
Pennsylvania Retailers Association
Christy Meyers
Steven P. Carlyle

R-00049255
R-00049255C0001
R-00049255C0002
R-00049255C0003
R-00049255C0004
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R-00049255C0019
R-00049255C0020

DOCKETED
APR 14 2005

v.

PPL Electric Utilities Corporation

To Whom It May Concern:

This is to advise you that the Commission in Public Meeting on January 13, 2005 has adopted an Opinion and Order in the above-entitled proceeding.

An Opinion and Order has been enclosed for your records.

Very truly yours,

James J. McNulty
Secretary

Enclosure

Certified Mail

LJM

See attached list for additional parties of record

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265

Public Meeting held January 13, 2005

Commissioners Present:

Wendell F. Holland Chairman
Robert K. Bloom, Vice Chairman
Glen R Thomas, Recusing
Kim Pizzingrilli

DOCKETED
APR 14 2005

Pennsylvania Public Utility Commission	:	R-00049255
U.S. Department of Defense & Federal	:	
Executive Agencies	:	R-00049255C0001
PPL Industrial Customer Alliance	:	R-00049255C0002
Office of Small Business Advocate	:	R-00049255C0003
Office of Consumer Advocate	:	R-00049255C0004
Anthony J. Graziano	:	R-00049255C0005
Brenda Hoover	:	R-00049255C0006
Eric Joseph Epstein	:	R-00049255C0007
Victoria K. Mackin, et al.	:	R-00049255C0008
Cheryl & Jeremy Ebert	:	R-00049255C0009
Martha Wells	:	R-00049255C0010
Margaret M. Stuski	:	R-00049255C0011
Wal-Mart Store East, LP.	:	R-00049255C0012
Pennsylvania Energy Consortium	:	R-00049255C0013
Donald F. McGarrigle	:	R-00049255C0014
Curvin L. Snyder	:	R-00049255C0015
William J. Junkin, III	:	R-00049255C0016
Philip A. Trump	:	R-00049255C0017
Pennsylvania Retailers Association	:	R-00049255C0018
Christy Meyers	:	R-00049255C0019
Steven P. Carlyle	:	R-00049255C0020

v.

PPL Electric Utilities Corporation

**DOCUMENT
FOLDER**

OPINION AND ORDER

BY THE COMMISSION:

Before the Commission are Petitions for Reconsideration filed by The PP&L Industrial Customer Alliance (PPLICA) on January 6, 2005, by the Office of Trial Staff (OTS) on January 5, 2005, and by Citizens for Pennsylvania's Future (PennFuture) on January 5, 2005. Each of these Petitions seeks reconsideration of our Opinion and Order entered December 22, 2004, which resolved the request for rate relief filed by PPL Electric Utilities Corporation (PPL) at R-00049255.

HISTORY OF THE CASE

On March 29, 2004, PPL filed Supplement No. 38 to Tariff Electric-Pa. P.U.C. No. 201 to become effective June 1, 2004, seeking Commission approval to increase its retail distribution base rate revenues by \$164.4 million. The Company's request was based on a future test year ending December 31, 2004. Additionally, PPL sought to increase transmission charges by approximately \$57.2 million.

A total of nine Public Input Hearings (PI Hearings) were held throughout PPL's service territory. Administrative Law Judge (ALJ) Colwell conducted the PI Hearings in Lancaster and Harrisburg. ALJ Jandebour conducted the PI Hearings in Scranton and Wilkes-Barre.

Four days of Evidentiary Hearings were held in Harrisburg the week of August 9, 2004. During that time, testimony and exhibits of all the active Parties were entered into the record. A total of 1,135 pages of transcript were produced (including the PI Hearings), and the record closed on August 13, 2004.

ALJ Turner's Recommended Decision, which was served on the Parties on October 22, 2004, and modified by the Errata issued October 25, 2004, *inter alia*, granted PPL a rate increase of \$130,111,983, and set a Transmission Service Charge (TSC) rate of \$0.05439 per kWh. Various Parties filed Exceptions and Replies to Exceptions seeking modifications to the Recommended Decision. On December 22, 2004, the Commission entered its final Opinion and Order which addressed the Parties' Exceptions.

On or about January 5 and January 6, 2005, PPLICA, OTS and PennFuture filed Petitions for Reconsideration. Each Petition for Reconsideration seeks reconsideration of our Opinion and Order entered August 23, 2004.

DISCUSSION

Pursuant to Rule 1701 of the Pennsylvania Rules of Appellate Procedure, Pa. R.A.P. Rule 1701, the filing of a Petition for Review may limit the time frame within which this Commission may act if it wishes to consider the various Petitions for Reconsideration now before us. Although the deadline for filing a Petition for Review has not yet run, the Commission would not have time to act on the Petitions for Reconsideration before us if such a Petition for Review were timely filed. In the event that appellate review of the December 22, 2004 Opinion and Order is filed, the thirty-day time period within which we must take action on these Petitions for Reconsideration expires on January 21, 2005. However, our next regularly scheduled Public Meeting is February 3, 2005.

Under these circumstances, the better course is for the Commission to act on the Petitions for Review now before us within thirty days of the date of entry of the December 22, 2004 Opinion and Order so as to retain jurisdiction to further address the Petitions on the merits. Accordingly, we shall grant reconsideration, within the meaning

of Pa. R.A.P. Rule 1701(b)(3), pending review of, and further consideration on, the merits of the Petitions; **THEREFORE,**

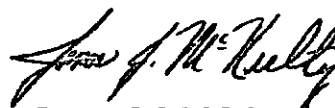
IT IS ORDERED:

1. That the Petition for Reconsideration filed on January 6, 2005, by PP&L Industrial Customer Alliance is hereby granted, pending further review of, and consideration on, the merits.

2. That the Petition for Reconsideration filed on January 5, 2005, by the Office of Trial Staff is hereby granted, pending further review of, and consideration on, the merits.

3. That the Petition for Reconsideration filed on January 5, 2005, by the Citizens for Pennsylvania's Future is hereby granted, pending further review of, and consideration on, the merits.

BY THE COMMISSION,



James J. McNulty
Secretary

(SEAL)

ORDER ADOPTED: January 13, 2005

ORDER ENTERED: **JAN 13 2005**