

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
Et al.	:	R-00049255
	:	R-00049255C0001
v.	:	through
	:	R-00049255C0020
PPL Electric Utilities Corporation	:	

PREHEARING CONFERENCE ORDER

**DOCUMENT
FOLDER**

On August 4, 2006, the Commonwealth Court of Pennsylvania issued its decision in the appeal of several of the issues in the above-captioned case, *Lloyd v. Pa. Publ. Util. Comm'n*, 904 A.2d 1010 (Pa. Cmwlth. 2006). The *Lloyd* decision reversed in part, vacated in part and affirmed in part the Commission's December 22, 2004 decision. The Supreme Court of Pennsylvania declined to review the Commonwealth Court's decision.

On February 8, 2007, the Pennsylvania Public Utility Commission entered its Order which remanded the above-captioned proceeding to the Office of Administrative Law Judge for proceedings consistent with the *Lloyd* decision, specifically:

2. That the issue of distribution and transmission rates is returned to the Office of Administrative Law Judge for findings and a recommended decision consistent with the opinion of Commonwealth Court.

Commission Order entered February 8, 2007, ¶ 2.

A prehearing conference in this case is scheduled for Wednesday, March 7, 2007 at 10:00 A.M in Hearing Room 2 of the Commonwealth Keystone Building.

You are receiving notice of this prehearing conference because you are listed as a party to the case before it was appealed. Proceedings on remand will be limited to that listed in Ordering Paragraph 2 of the Commission's February 8, 2007 Order.

As a party to the prior proceeding, you are entitled to participate in the remanded proceeding. You are not required to participate, but you may signify your intent to participate by attending the prehearing conference and complying with the requirements for participating parties. If you do not attend the prehearing conference or indicate your intent to participate in writing prior to the prehearing conference, copies to all parties on the service list, you will be removed from the service list and will not be served with documents, filings, orders, or submittals in the remanded proceeding.

The participating parties are directed to comply with the following:

1. Please review the regulation pertaining to prehearing conferences, 52 Pa. Code § 5.222, and in particular, subsection (d), which provides:

(d) Parties and counsel will be expected to attend the conference fully prepared for useful discussion of all problems involved in the proceeding, both procedural and substantive, and fully authorized to make commitments with respect thereto. . . .

2. Each party shall prepare and distribute, at least three (3) days before the prehearing conference, a prehearing memorandum which recommends a course of action for implementing the remand Order.

3. Pursuant to 52 Pa. Code §§ 1.21 & 1.22, you may represent yourself if you are an individual, or you may have an attorney represent you. However, if you are a corporation, partnership, association, joint venture, other business organization, trust, trustee, legal representative, receiver, agency, governmental entity, municipality or other political subdivision, you must have an attorney represent you in this proceeding. Unless you are an attorney, you may not represent someone else. **This is the law of the Commonwealth of Pennsylvania and is not waivable by the Commission.** An attorney representing a party in this proceeding must


enter an appearance in accordance with the Commission regulations at 52 Pa. Code §§ 1.24-1.25. Signing the attendance sheet at the Prehearing Conference is not sufficient to satisfy the requirements of the regulation.

4. You must serve me directly with a copy of any document that you file in this proceeding. It is NOT sufficient to file with the Secretary's Bureau and expect me to receive a copy from that Bureau. If you send me any correspondence or document, you must send a copy to all other parties. A copy of the Commission's current service list of the parties to this proceeding s enclosed with this Order.

5. Please review the regulations relating to discovery, specifically 52 Pa. Code § 5.331 (b), which provides, inter alia, that participants try to initiate discovery as early in the proceeding as possible, and 52 Pa. Code § 5.322, which encourages participants to exchange information on an informal basis. In addition, be aware of the limitations on discovery and sanctions for abuse of the discovery process, 52 Pa. Code §§ 5.361, 5.371-5.572. Requests for modification of the rules of discovery must be presented at the Prehearing Conference.

6. A change in the scheduled date of the prehearing conference will only be granted for good cause. A request for a change in the date or time must be submitted in writing *no later than five (5) days prior to the prehearing conference*, 52 Pa. Code § 1.15(b), and must be sent to me directly: Administrative Law Judge Susan D. Colwell, P.O. Box 3265, Harrisburg PA 17105-3265.

Dated: February 9, 2007


Susan D. Colwell
Administrative Law Judge