



PENNSYLVANIA PUC

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CONSUMER SERVICES
FIELD SERVICES DIVISION

April 6, 2004

ORIGINAL

James McNulty, Secretary
PA Utility Commission
P.O. Box 3265
Harrisburg PA 17120

R-00049255

DOCKETED
JUN 09 2004

Dear Mr. McNulty:

This letter is to request notification of the public hearings scheduled for PP & L requests for a rate increase.

Please send notifications to the following persons:

Jena` Y. East, CEO
The GloRuss Group, LLC
P.O. Box 2424
Harrisburg PA 17105-2424

Robert M. Jackson, Founder and CEO
African American Chamber of Commerce
1735 State Street
Harrisburg PA 17103

Clare Jones, President
Harrisburg Area Branch of NAACP
P.O. Box 2757
Harrisburg PA 17105-2757

Reverend Jimmy Allen Thomas
Wesley Union AME Zion
P.O. Box 5124
Harrisburg PA 17110

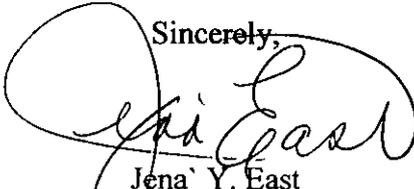
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SECRETARY'S BUREAU

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April 6, 2004
Page Two

Honorable Linda Thompson
Vice President
Harrisburg City Council
M.L. King City Government Center
10 North 2nd Street
Harrisburg PA 17101

Thank you for your attention in the matter.

Sincerely,

Jena Y. East
The GloRuss Group, LLC

Cc: Robert Jackson
Clare Jones
Reverend Jimmy Allen Thomas
Councilwoman Linda D. Thompson

April 7, 2004

ORIGINAL

Mr. James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, Second Floor
P.O. Box 3265
Harrisburg, PA 17105-3265

R-00049255

RE: PP&L Electric Utilities - Request for Rate Increase
Docket No. 49255

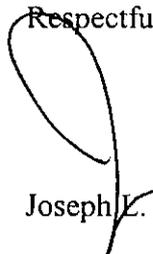
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Dear Secretary McNulty:

Enclosed for filing with the Commission are an original and three (3) copies of Petition to Intervene on behalf of the Commission on Economic Opportunity in the above-referenced proceeding.

As shown by the attached Certificate of Service, all parties to this proceeding are being duly served.

Respectfully submitted,



Joseph E. Vullo

JLV/jar
encls.

cc: All Parties of Record
Mr. Eugene Brady

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2004 APR -8

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

PENNSYLVANIA PUBLIC UTILITY COMMISSION

v.

PP&L ELECTRIC UTILITIES

:
:
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:

R-00049255

Request for a Rate Increase

DOCUMENT FOLDER

PETITION TO INTERVENE

NOW COMES the Commission on Economic Opportunity (CEO), by and through counsel, Joseph L. Vullo, Esquire, and petitions to intervene in the above-captioned matter averring as follows:

1. The Petitioner, Commission on Economic Opportunity, is a not-for-profit corporation organized and existing under the laws of the Commonwealth of Pennsylvania with its principal office located at 165 Amber Lane, P.O. Box 1127, Wilkes-Barre, Luzerne County, Pennsylvania, 18703-1127. CEO's telephone number is (570) 826-0510.

2. CEO is an advocate for its clients – the low income population of Luzerne County – and has been directly involved in assuring that low income persons' utility costs are contained through counseling, advice, payment assistance and energy conservation measures.

3. CEO seeks permission to intervene in PP&L Electric's request for a rate increase filed with the Commission.

4. PP&L Electric serves customers in numerous counties including Luzerne County.

DOCKETED
APR 19 2004

5. CEO seeks permission to intervene in PP&L Electric's request for a rate increase due to the fact that the proposed increase would create undue hardship on CEO's clients.

6. CEO's participation as an active party in this proceeding is required to protect its substantial interests and the substantial interests of the low income citizens it represents in ensuring that energy rates remain affordable for its clients. Accordingly, CEO's participation in this proceeding will thereby serve the public interest.

7. Because CEO represents low income citizens in Luzerne County, the interests of its clients are not protected by any other party to this action.

POSITION

8. CEO contends that PP&L Electric's proposed rate increase, if granted, would have an adverse and substantial effect upon low income persons who already are struggling to meet their utility costs.

9. There is a substantial public interest in keeping utility costs affordable for all members of the community and PP&L Electric's proposed rate increase would not serve that interest.

10. CEO is concerned about the administration and level of funding regarding PP&L Electric's universal service programs and that those programs do not meet the local needs of its customers.

REQUEST FOR RELIEF

WHEREFORE, the Commission on Economic Opportunity respectfully requests that the Commission:

1. Receive for filing and docket this Petition to Intervene in order that CEO be a party to such proceedings and be placed on all service lists.

2. Order that the following individuals be designated as CEO's recipients for service:

A. Eugene M. Brady
Commission on Economic Opportunity
165 Amber Lane
P.O. Box 1127
Wilkes-Barre, PA 18703-1127
Phone: (570) 826-1127
Fax: (570) 829-1665
e-mail: hebegebe@sunlink.net

B. Joseph L. Vullo, Esquire
1460 Wyoming Avenue
Forty Fort, PA 18704
Phone: (570) 288-0700
Fax: (570) 288-4598
e-mail: jlvullo@aol.com

3. Order that each party to the proceedings provide CEO's designated recipients with copies of all papers filed.

4. Grant such other relief as the Commission may deem necessary and proper.

Respectfully submitted,

JOSEPH L. VULLO, ESQUIRE
I.D. #41279
1460 Wyoming Avenue
Forty Fort, PA 18704
(570) 288-0700
e-mail: jlvullo@aol.com
Attorney for Commission on Economic
Opportunity

VERIFICATION

I, EUGENE M. BRADY, Executive Director of Commission on Economic Opportunity, hereby state that I am authorized to execute this verification on behalf of the Commission on Economic Opportunity and that upon my personal knowledge the facts set forth in the forgoing Petition to Intervene are true and correct to the best of my information and belief. This verification is made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

COMMISSION ON ECONOMIC
OPPORTUNITY

BY: 
EUGENE M. BRADY, Executive Director

DATE: April 6, 2004

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY :
COMMISSION, :

V. :

R-00038304

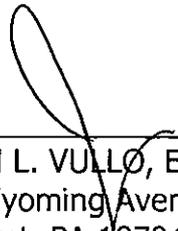
PP&L ELECTRIC UTILITIES :

Request for Rate Increase

CERTIFICATE OF SERVICE

The undersigned counsel for Commission on Economic Opportunity hereby certifies that he served a copy of the foregoing Petition to Intervene upon the following participants this 7th day of April, 2004, via first-class mail:

Paul E. Russell, Esquire
PP&L
Two North Ninth Street
Allentown, PA 18101-1179
Counsel to PP&L Electric Utilities



JOSEPH L. VULLO, ESQUIRE
1460 Wyoming Avenue
Forty Fort, PA 18704
(570) 288-0700
Attorney for Commission on Economic
Opportunity

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SECRETARY'S BUREAU

Scott J. Rubin
Attorney ♦ Consultant

3 Lost Creek Drive ♦ Selinsgrove, PA 17870 ♦ (570)743-2233 ♦ Fax: (570)743-8145 ♦ scott@publicutilityhome.com

April 7, 2004

ORIGINAL

James McNulty, Secretary
Pa. Public Utility Commission
P.O. Box 3265
Harrisburg PA 17105-3265

Re: Pa. Public Utility Commission v. PPL Electric
Utilities Corp., Docket No. R-00049255

Dear Secretary McNulty:

Enclosed for filing please find an original and three copies of the Petition to Intervene of International Brotherhood of Electrical Workers, Local 1600, in the above-referenced matter.

I also have enclosed an extra copy of the document that I would appreciate having time-stamped and returned in the enclosed envelope.

I have served a copy of this document on all parties to this proceeding, as shown on the attached Certificate of Service.

Sincerely,


Scott J. Rubin

**DOCUMENT
FOLDER**

Enclosures

cc: All parties
Office of Administrative Law Judge
Andrew Wolfe, IBEW Local 1600

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ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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Pennsylvania Public Utility Commission :

v. :

PPL Electric Utilities Corporation :

Docket No. R-00049255

DOCUMENT
FOLDER

PETITION TO INTERVENE
OF INTERNATIONAL BROTHERHOOD OF ELECTRICAL
WORKERS, LOCAL 1600

Pursuant to 52 Pa. Code §§ 5.71, *et seq.*, the International Brotherhood of Electrical Workers, Local 1600 ("Local 1600") hereby petitions to intervene in the above-captioned proceeding. In support of this Petition, Local 1600 states as follows:

1. Local 1600 is the authorized bargaining unit for several hundred employees of PPL Electric Utilities Corporation ("PPL"), including retirees, and is also a customer of PPL at Local 1600's office located at 540 Grange Road, Trexlertown, PA.

2. Local 1600 will be represented in this case by, and all documents should be served upon, its attorney:

Scott J. Rubin
3 Lost Creek Drive
Selinsgrove, PA 17870-9357

Phone: (570) 743-2233
Fax: (570) 743-8145
email: scott@publicutilityhome.com

DOCKETED
APR 19 2004

3. Local 1600 anticipates numerous issues being raised in this proceeding that will or may affect its interests as a representative of PPL employees and retirees and as a

customer of PPL. For example, PPL's filing includes the recovery of employee transition costs associated with its conversion to automated meter reading; pension and benefit expenses; projected employment levels; among others. In addition, issues may be raised by various parties concerning the safety or reliability of PPL's service that will or may have a direct effect on Local 1600 and its members.

4. No other party to this proceeding represents the interests of Local 1600 and its members.

5. Local 1600 intends to actively participate in this proceeding on such matters that affect its interests as a customer of PPL and the interests of its members as employees and retirees of PPL. Such participation may include the presentation of direct or rebuttal testimony and the cross-examination of witnesses presented by PPL and other parties to this proceeding.

WHEREFORE, International Brotherhood of Electrical Workers, Local 1600, respectfully requests the right to intervene as an active party in this proceeding.

Respectfully submitted,



Scott J. Rubin
3 Lost Creek Drive
Selinsgrove, PA 17870
(570) 743-2233

Counsel for:
International Brotherhood of Electrical
Workers, Local 1600

Dated: April 7, 2004

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing upon the following parties to this proceeding by first class mail.

Paul E. Russell
PPL Electric Utilities Corp.
Two North Ninth Street
Allentown, PA 18101-1179

Office of Trial Staff
Pa. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Irwin A. Popowsky
Office of Consumer Advocate
555 Walnut Street, 5th Floor Forum Place
Harrisburg, PA 17101-1923

William Lloyd
Office of Small Business Advocate
300 North Second St., Suite 1102
Harrisburg, PA 17101

David M. Kleppinger
McNees Wallace & Nurick
100 Pine Street
Harrisburg, PA 17108

Eric Epstein
4100 Hillside Drive
Harrisburg, PA 17112

David A. McCormick
Regulatory Law Office
U.S. Army Legal Services Agency
DAJA-RL 4120
901 N. Stuart Street, Room 713
Arlington, VA 22203-1837


Scott J. Rubin
Counsel for Complainant

Dated: April 7, 2004

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THE CITY OF HARRISBURG

OFFICE OF CITY COUNCIL

ORIGINAL

COMMITTEES

- Chairperson
- Community and Economic Development
- Community and Housing Development

Member

- Administrative Committee
- Youth Development Committee
- Public Works Committee

HONORABLE LINDA D. THOMPSON
 Office of the City Council
 The City of Harrisburg
 M.L. King City Government Center
 Suite 1
 Harrisburg, PA 17101-1681
 (717) 255-3060
 (717) 255-3081 (Fax)
 E-Mail: lthompson@cityofhbg.com

COUNCILWOMAN-AT-LARGE

April 07, 2004

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R-00049255

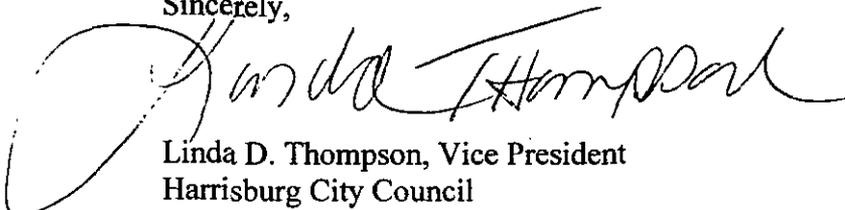
James McNulty, Secretary
 PA Utility Commission
 P.O. Box 3265
 Harrisburg, PA 17120

Dear Secretary McNulty:

I am formally requesting to be given notification of the hearings regarding PP&L who will be requesting a rate increase from the PUC in the very near future.

I look forward to receiving a favorable response from you. Thank you.

Sincerely,


 Linda D. Thompson, Vice President
 Harrisburg City Council

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 SECRETARY'S BUREAU



Legal Department

Exelon Business Services Company
2301 Market Street / 23-1
P.O.Box 8699
Philadelphia, PA 19101-8699

Telephone 215 841-5544
Fax 215 568-3389
www.exeloncorp.com

Business Services
Company

Direct Dial: 215 841 6841

ORIGINAL

April 12, 2004

James McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

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APR 12 2004
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Subject: **Petition to Intervene of PECO Energy Company**
Docket No. R-00049255

Dear Secretary McNulty:

Enclosed please find Petition to Intervene of PECO Energy Company to be filed in the above captioned matter.

Any questions related to PECO Energy Company's petition to intervene may be directed to the undersigned counsel at 215-841-4941.

Sincerely,

Kent D. Murphy

KDM/zr

Enc.

cc: Parties of Record

**DOCUMENT
FOLDER**

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APR 12 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission :
v. : Docket No. R-00049255
PPL Electric Utilities Corporation :

PETITION TO INTERVENE
OF
PECO ENERGY COMPANY

DOCUMENT
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PECO Energy Company ("PECO") respectfully submits this petition to intervene seeking to participate in the above-captioned matter. In specific support of this petition, PECO states as follows:

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Background

1. On March 29, 2004, PPL Electric Utilities Corporation ("PPL") filed Supplement No. 38 to its Electric Service Tariff Pa.PUC No. 201. Proposed therein are a number of tariff changes, including a proposed general rate increase and a variety of tariff rule changes. The proposed effective date for Supplement No. 38 is June 1, 2004. PPL describes its filing as the first post-distribution and transmission rate cap general rate filing of a major electric distribution company in Pennsylvania.

2. This proceeding is at an early stage. The first prehearing conference is not yet scheduled. The parties have not yet exchanged prehearing memoranda.

Request to Intervene

3. Under 52 Pa. Code § 5.72(a), a person is eligible for intervention if that person has “an interest which may be directly affected and which is not adequately represented by existing participants, and as to which the petitioner may be bound by the action of the Commission in the proceeding.”

4. PECO has an obvious and direct interest in the outcome of this proceeding. PECO Energy is a customer of PPL at different locations within PPL’s service territory and will be affected by PPL’s proposed rate increase and tariff rule changes. Moreover, as a major Pennsylvania electric distribution company, PECO has an interest that likely will be affected by how the Commission decides the numerous general ratemaking and tariff rule issues presented by PPL’s filing. Finally, under Pennsylvania law, PECO may act as a competitive electric generation supplier (“EGS”) in the PPL service territory and its decision to do so may be affected by the retail transmission rate levels established in this proceeding. Accordingly, PECO’s interests are sufficient to satisfy the requirements for intervention in this proceeding.

5. No other participant can adequately represent the interest of PECO in this proceeding. No other participant to this proceeding simultaneously has PECO’s interests as a customer, as a potential EGS, and as a major electric utility.

6. PECO has not determined its position on the various aspects of PPL’s general rate proposal, but intend to do so once it has had an opportunity to further study and evaluate the proposal, review PPL’s testimony, conduct discovery and obtain additional information.

7. PECO will be represented in this proceeding by the following counsel:

Kent D. Murphy, Esq.
Exelon Business Services Company
2301 Market Street, S23-1
Philadelphia, PA 19101
215-841-4942 (office)
215-568-3389 (fax)
kent.murphy@exeloncorp.com

WHEREFORE, for all of the foregoing reasons, PECO Energy Company respectfully requests that the Commission grant this petition to intervene in the above proceeding.

Respectfully submitted,



Kent D. Murphy, Esq.
Exelon Business Services Company
2301 Market Street
S23-1
Philadelphia, PA 19101
215-841-4941 (office)
215-841-4941 (fax)
kent.murphy@exeloncorp.com

Counsel for PECO Energy Company

Date: April 12, 2004

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission :
v. : Docket No. R-00049255
PPL Electric Utilities Corporation :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of Petition to Intervene of PECO Energy Company in the above matter upon all interested parties by mailing a copy thereof by US First Class mail, properly addressed and postage prepaid to:

Paul E. Russell
Associate General Counsel
PPL Electric Utilities Corporation
2 North 9th Street
Allentown, PA 18101-1179

RECEIVED

APR 12 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Dated at Philadelphia, Pennsylvania, April 12, 2004.


Kent D. Murphy

Exelon Business Services Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
215/841-4941



NORTHEAST DELEGATION

PLEASE DOCKET

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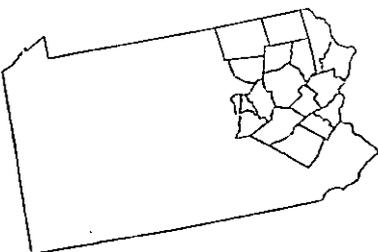
PHYLLIS MUNDY
CHAIR
Luzerne County

HOUSE BOX 202020
HARRISBURG, PA 17120-2020
(717) 783-1614

MEMBERS:

- FRED BELARDI
Lackawanna County
- ROBERT E. BELFANTI, JR.
Columbia/Montour/Northumberland Counties
- KEVIN BLAUM
Luzerne County
- THOMAS R. CALTAGIRONE
Berks County
- GAYNOR CAWLEY
Lackawanna County
- TODD A. EACHUS
Luzerne County
- ROBERT FREEMAN
Northampton County
- NEAL P. GOODMAN
Schuylkill County
- RICHARD T. GRUCELA
Northampton County
- JENNIFER L. MANN
Lehigh County
- KEITH R. MCCALL
Carbon/Luzerne Counties
- T.J. ROONEY
Lehigh/Northampton Counties
- STEVE SAMUELSON
Northampton/Lehigh Counties
- DANTE SANTONI, JR.
Berks County
- EDWARD G. STABACK
Lackawanna/Wayne Counties
- THOMAS M. TIGUE
Luzerne/Monroe Counties
- JIM WANSACZ
Lackawanna County
- JOHN T. YUDICHAK
Luzerne County

NIKKI LOPEZ
EXECUTIVE DIRECTOR



DOCKETED
JUL 13 2004

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April 13, 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Mr. Robert A. Christiansen, Chief Administrative Law Judge
Office of Administrative Law Judge
Pennsylvania Public Utility Commission
2nd Floor West, Commonwealth Keystone Building
P.O. Box 3265
Harrisburg, PA 17105

R-00049255

Dear Mr. Christiansen:

We, the members of the Northeast Democratic Delegation are writing to request a public hearing be held in Northeastern Pennsylvania on the recent rate increase proposal submitted by PPL Corporation.

It is our understanding that PPL is proposing a significant rate increase of 9.8 percent effective January 1, 2005. According to PPL's proposal, an average customer who uses about 900 kilowatt-hours a month will experience an \$8 increase in their monthly bills, rising from \$77.47 per month to \$85.09 per month. This proposed rate increase will directly affect residents of our legislative districts that are included in PPL's 29-county service area.

Therefore, we respectfully request that you schedule a hearing on this recent rate increase proposal in a centralized location in the Northeast. This hearing would give the residents of the Northeast region an opportunity to adequately and effectively address any concerns and complaints with the rates and service of PPL.

Thank you for your consideration in this request. We stand ready to work with you to ensure that ratepayers in our areas have an opportunity to be heard.

Sincerely,

Phyllis Mundy

Phyllis Mundy
120th Legislative district

Kevin Blaum

Kevin Blaum
121st Legislative district



NORTHEAST DELEGATION

PHYLLIS MUNDY
CHAIR
Luzerne County

HOUSE BOX 202020
HARRISBURG, PA 17120-2020
(717) 783-1614

MEMBERS:

FRED BELARDI
Lackawanna County

ROBERT E. BELFANTI, JR.
Columbia/Montour/Northumberland Counties

KEVIN BLAUM
Luzerne County

THOMAS R. CALTAGIRONE
Berks County

GAYNOR CAWLEY
Lackawanna County

TODD A. EACHUS
Luzerne County

ROBERT FREEMAN
Northampton County

NEAL P. GOODMAN
Schuylkill County

RICHARD T. GRUCELA
Northampton County

JENNIFER L. MANN
Lehigh County

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Berks County

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THOMAS M. TIGUE
Luzerne/Monroe Counties

JIM WANSACZ
Lackawanna County

JOHN T. YUDICHAK
Luzerne County

NIKKI LOPEZ
EXECUTIVE DIRECTOR

Fred Belardi
Fred Belardi
112th Legislative district

Richard T. Grucela
Richard T. Grucela
137th Legislative district

Robert L. Freeman
Robert L. Freeman
136th Legislative district

Robert E. Belfanti, Jr.
Robert E. Belfanti, Jr.
107th Legislative district

Neal P. Goodman
Neal P. Goodman
123rd Legislative district

John T. Yudichak
John T. Yudichak
119th Legislative district

Thomas M. Tigue
Thomas M. Tigue
118th Legislative district

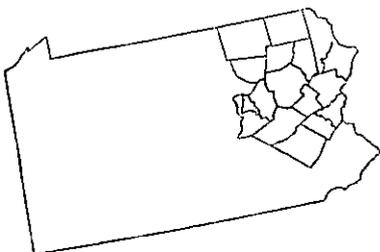
Edward G. Staback
Edward G. Staback
115th Legislative district

Thomas R. Caltagirone
Thomas R. Caltagirone
127th Legislative district

Gaynor Cawley
Gaynor Cawley
113th Legislative district

Todd A. Eachus
Todd A. Eachus
116th Legislative district

Keith R. McCall
Keith R. McCall
122nd Legislative district





NORTHEAST DELEGATION

PHYLLIS MUNDY
CHAIR
Luzerne County

HOUSE BOX 202020
HARRISBURG, PA 17120-2020
(717) 783-1614

MEMBERS:

- FRED BELARDI**
Lackawanna County
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Columbia/Montour/Northumberland Counties
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- DANTE SANTONI, JR.**
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Lackawanna/Wayne Counties
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- JIM WANSACZ**
Lackawanna County
- JOHN T. YUDICHAK**
Luzerne County

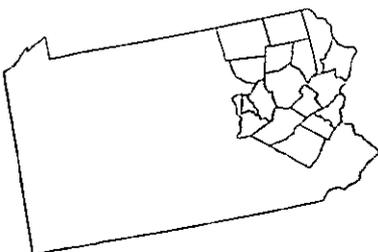
NIKKI LOPEZ
EXECUTIVE DIRECTOR

Steve Samuelson
Steve Samuelson
135th Legislative district

Dante Santoni, Jr.
Dante Santoni, Jr.
126th Legislative district

Jim Wansacz
Jim Wansacz
114th Legislative district

cc: Mr. Irwin Popowsky, Office of Consumer Advocate
Mr. William Lloyd, Jr., Office of Small Business Advocate



Paul E. Russell
Associate General Counsel

PPL
Two North Ninth Street
Allentown, PA 18101-1179
Tel. 610.774.4254 Fax 610.774.6726
perussell@pplweb.com



April 14, 2004

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APR 14 2004

PA PUBLIC UTILITY COMMISSION
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

James J. McNulty, Esquire
Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, Pennsylvania 17120

**Re: PPL Electric Utilities Corporation
Supplement No. 38 to Tariff -
Electric Pa. P.U.C. No. 201
Docket No. R-00049255**

Dear Mr. McNulty:

Attached for filing, pursuant to the Commission's regulations, 52 Pa. Code § 5.342(d), is a Certificate of Service identifying responses to interrogatories that PPL Electric Utilities Corporation served today on the active participants in this proceeding.

If you have any questions regarding these responses, please call.

Very truly yours,

Paul E. Russell

Attachment

cc: Administrative Law Judge
Allison K. Turner

RECEIVED

THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

APR 14 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

PPL Electric Utilities Corporation :
Supplement No. 38 to Tariff - Electric :
Pa. P.U.C. No. 201 :

Docket No. R-00049255

CERTIFICATION OF SERVICE

I hereby certify that I have this day served a true copy of the responses of PPL Electric Utilities Corporation to Interrogatories of the Office of Trial Staff, Set I, Questions 1 through 12, upon the participant(s) listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

VIA FEDERAL EXPRESS

Irwin A. Popowsky, Esquire
James A. Mullins, Esquire
Office Of Consumer Advocate
555 Walnut Street
5th Floor Forum Place
Harrisburg, PA 17101-1923

William Lloyd, Esquire
Steven C. Grey, Esquire
Office Of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17101

Johnnie Simms, Esquire
Richard A. Kanaskie, Esquire
Office Of Trial Staff
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 3rd Floor West
Harrisburg, PA 17120

David M. Kleppinger, Esquire
Pamela Polacek, Esquire
McNees, Wallace & Nurick
100 Pine Street
Harrisburg, PA 17108

David A. McCormick, Esquire
Regulatory Law Office (JALS-RL)
US Army Legal Services Agency
901 North Stuart Street, Room 713
Arlington, VA 22203-1837

Scott Rubin, Esquire
3 Lost Creek Drive
Selinsgrove, PA 17870-9357

Joseph L. Vullo, Esquire
Attorney At Law
1460 Wyoming Avenue
Forty Fort, PA 18704-4237

Mr. Robert D. Knecht
Industrial Economics Incorporated
2067 Massachusetts Avenue
Cambridge, MA 02140

Dated: April 14, 2004

Stephen J. Baron, President
J. Kennedy and Associates, Inc.
570 Colonial Park Drive
Suite 305
Roswell, GA 30075

Eric Epstein
4100 Hillside Drive
Harrisburg, PA 17112

Eugene M. Brady
Commission on Economic Opportunity
165 Amber Lane
Wilkes-Barre, PA 18703-1127



Paul E. Russell

DATE: April 14, 2004

SUBJECT: R-00049255

TO: Bureau of Fixed Utility Services

FROM:  James J. McNulty, Secretary

DOCUMENT
FOLDER

PPL Electric Utilities Corp.

Attached is a copy of a Petition to Intervene, filed by Commission on Economic Opportunity, in connection with the above docketed proceeding.

This matter is assigned to your Bureau for appropriate action.

Attachment

cc: ALJ
OTS

jih

DOCKETED
APR 19 2004

COMMONWEALTH OF PENNSYLVANIA

DATE: April 14, 2004

SUBJECT: R-00049255

TO: Bureau of Fixed Utility Services

FROM:  James J. McNulty, Secretary

DOCUMENT
FOLDER

PPL Electric Utilities Corp.

Attached is a copy of a Petition to Intervene, filed by International Brotherhood of Electrical Workers, Local 1600, in connection with the above docketed proceeding.

This matter is assigned to your Bureau for appropriate action.

Attachment

cc: ALJ
OTS

jih

DOCKETED
APR 19 2004

DATE: April 14, 2004

SUBJECT: R-00049255

TO: Bureau of Fixed Utility Services

FROM:  James J. McNulty, Secretary

DOCUMENT
FOLDER

PPL Electric Utilities Corp.

Attached is a copy of a Petition to Intervene, filed by PECO Energy Company, in connection with the above docketed proceeding.

This matter is assigned to your Bureau for appropriate action.

Attachment

cc: ALJ
OTS

jih

DOCKETED
APR 19 2004

Morgan, Lewis & Bockius LLP
One Commerce Square
417 Walnut Street
Harrisburg, PA 17101-1904
Tel: 717.237.4000
Fax: 717.237.4001
www.morganlewis.com

ORIGINAL

Morgan Lewis
COUNSELORS AT LAW

John H. Isom
717-237-4022
jisom@morganlewis.com

April 15, 2004

VIA HAND DELIVERY

James J. McNulty
Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
PO Box 3265
Harrisburg, PA 17105-3265

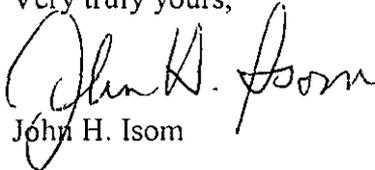
RECEIVED
2004 APR 15 PM 3:21
PA PUC
SECRETARY'S BUREAU

**Re: PPL Electric Utilities Corporation Supplement No. 38 to Tariff – Electric
Pa. P.U.C. No. 201; Docket No. R-00049255**

Dear Secretary McNulty:

Enclosed, for filing, please find the original and three copies of an Entry of Appearance for additional counsel in the above-referenced proceeding. As indicated on the enclosed certificate of service, copies are being served on all parties of record.

Very truly yours,


John H. Isom

JHI/ss

Enclosure

c: Certificate of Service

DOCUMENT
FOLDER

87

ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PPL Electric Utilities Corporation :
Supplement No. 38 to Tariff – Electric : Docket No. R-00049255
Pa. P.U.C. No. 201 :

ENTRY OF APPEARANCE

Kindly enter the appearance of David B. MacGregor, Michael W. Gang and John H. Isom of Morgan, Lewis & Bockius LLP as counsel on behalf of PPL Electric Utilities Corporation in the above-captioned proceeding, in addition to Paul E. Russell, Esquire, Associate General Counsel.

DOCKETED
APR 16 2004

**DOCUMENT
FOLDER**

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SECRETARY'S BUREAU

Respectfully submitted,



David B. MacGregor
Morgan, Lewis & Bockius LLP
1701 Market Street
Philadelphia, PA 19103-2921
Voice: 215.963.5448
Fax: 215.963.5001
E-mail: dmacgregor@morganlewis.com

Michael W. Gang
Morgan, Lewis & Bockius LLP
One Commerce Square
417 Walnut Street
Harrisburg, PA 17101-1904
Voice: 717.237.4020
Fax: 717.237.4004
E-mail: mgang@morganlewis.com

John H. Isom
Morgan, Lewis & Bockius LLP
One Commerce Square
417 Walnut Street
Harrisburg, PA 17101-1904
Voice: 717.237.4022
Fax: 717.237.4004
E-mail: jisom@morganlewis.com

Additional Attorneys for PPL Electric
Utilities Corporation

Of Counsel:

Morgan, Lewis & Bockius LLP

Date: April 15, 2004

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing correspondence and Entry of Appearance upon the participant(s), listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

VIA FIRST-CLASS MAIL

Tanya J. McCloskey, Esquire
James A. Mullins, Esquire
Lori A. Herman, Esquire
Aron J. Beatty, Esquire
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

Steven C. Gray, Esquire
Office of Small Business Advocate
Commerce Building, Suite 1102
300 North Second Street
Harrisburg, PA 17101

Richard A. Kanaskie, Esquire
Office of Trial Staff
Commonwealth Keystone Building
400 North Street, 2nd Floor West
PO Box 3265
Harrisburg, PA 17105-3265

David M. Kleppinger, Esquire
Pamela C. Polacek, Esquire
Karen S. Miller, Esquire
McNees Wallace & Nurick
100 Pine Street
PO Box 1166
Harrisburg, PA 17108

David A. McCormick, Esquire
Department of the Army
Office of The Judge Advocate General
901 North Stuart Street
Arlington, VA 22203-1837

Stephen J. Baron, President
J. Kennedy & Associates Inc.
570 Colonial Park Drive, Suite 305
Roswell, GA 30075-3770

Scott J. Rubin, Esquire
3 Lost Creek Drive
Selinsgrove, PA 17870-9357

Eric Joseph Epstein
4100 Hillsdale Road
Harrisburg, PA 17112

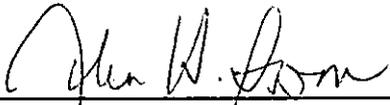
Honorable Allison K. Turner
Administrative Law Judge
Pennsylvania Public Utility Commission
Philadelphia State Office Building
1400 West Spring Garden Street
Room 1302
Philadelphia, PA 19130

Joseph L. Vullo, Esquire
Attorney at Law
1460 Wyoming Avenue
Fort Fort, PA 18704

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SECRETARY'S BUREAU

Eugene M. Brady
Commission on Economic Opportunity
165 Amber Lane
P.O. Box 1127
Wilkes-Barre, PA 18703

Date: April 15, 2004



John H. Isom

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

Pennsylvania Public Utility Commission :

v.

Docket No. R-00049255

PPL Electric Utilities Corporation :

RECEIVED

2004 APR 22 PM 1:15

PA PUC
SECRETARY'S BUREAU

NOTICE OF APPEARANCE

TO THE SECRETARY:

Please enter the appearance of the Office of Trial Staff of the
Pennsylvania Public Utility Commission in the above-captioned proceeding.

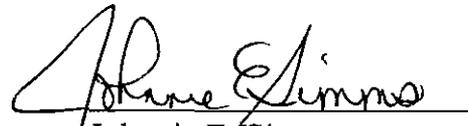
Prosecutor(s) for the Office of Trial Staff, in addition to the undersigned
will be: **RICHARD A. KANASKIE**

All service on and communications to the Office of Trial Staff in this
proceeding should be addressed:

**Richard A. Kanaskie, Esquire
Pa. Public Utility Commission
Office of Trial Staff
P.O. Box 3265
Harrisburg, PA 17105-3265
(717) 787-1976**

DOCUMENT
FOLDER

Dated: April 22, 2004


Johnnie E. Simms
Chief Prosecutor

DOCKETED
APR 29 2004

52

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission :

v.

PPL Electric Utilities Corporation :

:
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:
:

Docket No. R-00049255

SECRETARY'S BUREAU
PA PUC

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RECEIVED

CERTIFICATE OF SERVICE

I hereby certify that I am serving the foregoing **Notice of Appearance** of the Office of Trial Staff, dated April 22, 2004, either personally, by first class mail, electronic mail, express mail and/or by fax upon the persons listed below:

Paul E. Russell, Associate
General Counsel
PPL Electric Utilities Corporation
Two North Ninth Street
Allentown, PA 18101-1179

David B. MacGregor, Esquire
Morgan, Lewis & Bockius LLP
1701 Market Street
Philadelphia, PA 19103-2921

Michael W. Gang, Esquire
John H. Isom, Esquire
Morgan, Lewis & Bockius LLP
One Commerce Square
417 Walnut Street
Harrisburg, PA 17101-1904

David A. McCormick, Esquire
Regulatory Law Office
U.S. Army Legal Services Agency
DAJA-RL 4120
901 N. Stuart Street, Room 713
Arlington, VA 22203-1837

David M. Kleppinger, Esquire
Pamela C. Polacek, Esquire
Karen S. Miller, Esquire
McNees Wallace & Nurick LLC
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166

Mr. Stephen J. Baron
J. Kennedy and Associates, Inc.
570 Colonial Park Drive
Suite 305
Roswell, GA 30075

Steven C. Gray, Esquire
Office of Small Business Advocate
Commerce Building - Suite 1102
300 North 2nd Street
Harrisburg, PA 17101

Mr. Robert D. Knecht
Industrial Economics Incorporated
2067 Massachusetts Avenue
Cambridge, MA 02140

Tanya McCloskey, Esquire
James A. Mullins, Esquire
Lori A. Herman, Esquire
Aron Beatty, Esquire
Office of Consumer Advocate
555 Walnut Street
Forum Place - 5th Floor
Harrisburg, PA 17101-1923

Mr. Eric Joseph Epstein
4100 Hillsdale Road
Harrisburg, PA 17112

Hon. Allison K. Turner
Administrative Law Judge
Pa. Public Utility Commission
1302 Philadelphia State Office Building
Broad and Spring Garden Streets
Philadelphia, PA 19130

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SECRETARY'S BUREAU



Johnnie E. Simms
Chief Prosecutor
Office of Trial Staff

Dated: April 22, 2004
Docket No. R-00049255



Duquesne Light

A DQE Company



411 Seventh Avenue
8th Floor
Pittsburgh, PA 15219



Tel 412-393-3662
Fax 412-393-5602
rherkovitz@duqlight.com

Richard S. Herskovitz
Assistant General Counsel

April 22, 2004

ORIGINAL

**DOCUMENT
FOLDER**

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

**Re: PPL Electric Utilities Corporation
Supplement No. 38 to Tariff – Electric Pa. P.U.C. No. 201
Docket No. R-00049255**

Dear Secretary McNulty:

Enclosed for filing with the Pennsylvania Public Utility Commission is an original and three (3) copies of a Petition to Intervene of Duquesne Light Company in the above-captioned docket.

Very truly yours,

Richard S. Herskovitz
Assistant General Counsel

Enclosures

c: Honorable Robert A. Christianson
Certificate of Service

SECRETARY'S BUREAU
04 APR 26 AM 9:28
52

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

PPL Electric Utilities Corporation :
Supplement No. 38 to Tariff - : Docket No. R-00049255
Electric Pa. P.U.C. No. 201

CLERK'S BUREAU
MAY 26 AM 9:28

**PETITION TO INTERVENE OF
DUQUESNE LIGHT COMPANY**

DOCKETED
MAY 19 2004

Duquesne Light Company ("Duquesne") hereby petitions to intervene in the above-captioned proceeding pursuant to 52 Pa. Code §5.71, et. seq., and in support thereof sets forth the following:

1. Duquesne is a public utility providing electric distribution and transmission service to approximately 600,000 customers in Allegheny and Beaver Counties in western Pennsylvania.
2. On March 29, 2004, PPL Electric Utilities Corporation ("PPL") petitioned the Pennsylvania Public Utility Commission ("Commission") for approval of an overall net increase in distribution revenues of approximately \$164.4 million and a pass-through to customers of an estimated increase in transmission service charges of \$57.2 million.
3. PPL's filing is the first post-rate cap distribution rate increase to be filed in Pennsylvania.
4. Under 52 Pa. Code §5.72(a), a person is eligible for intervention who has "an interest which may be directly affected and which is not adequately represented by existing participants, and as to which the petitioner may be bound by the action of the commission in the proceeding."
5. Duquesne has a direct interest which may be directly affected by this proceeding in that Duquesne, as an electric distribution company, will at some point in

**DOCUMENT
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the future be filing a request for Commission approval of an increase in its transmission and distribution rates. As the first post-restructuring distribution rate case, this proceeding will establish the rules, procedures, and policies for distribution-only base rate increase requests, which may constitute precedent that may impact Duquesne in the future.

6. No other participant can adequately represent the interests of Duquesne in this proceeding.

7. Duquesne has not yet determined its position with regard to any issues in this proceeding.

8. The attorney for Duquesne in this proceeding will be:

Richard S. Herskovitz
Assistant General Counsel
Duquesne Light Company
411 Seventh Avenue, 8-2
Pittsburgh, PA 15219
412-393-3662
rherskovitz@duqlight.com

WHEREFORE, Duquesne Light Company respectfully requests the Commission to grant its Petition to Intervene in this proceeding.

Dated: April 22, 2004



Richard S. Herskovitz
Assistant General Counsel
Duquesne Light Company
411 Seventh Avenue, 8-2
Pittsburgh, PA 15219
412-393-3662
rherskovitz@duqlight.com

Attorney for Duquesne Light Company



Paul Russell
Associate General Counsel

PPL
Two North Ninth Street
Allentown, PA 18101-1179
Tel. 610.774.4254 Fax 610.774.6726
perussell@pplweb.com



April 22, 2004

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APR 22 2004

James J. McNulty, Esquire
Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, Pennsylvania 17120

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

**DOCUMENT
FOLDER**

**Re: PPL Electric Utilities Corporation
Supplement No. 38 to Tariff -
Electric Pa. P.U.C. No. 201
Docket No. R-00049255**

Dear Mr. McNulty:

Attached for filing, pursuant to the Commission's regulations, 52 Pa. Code § 5.342(d), is a Certificate of Service identifying responses to interrogatories that PPL Electric Utilities Corporation served today on the active participants in this proceeding.

If you have any questions regarding these responses, please call.

Very truly yours,

Paul E. Russell

Attachment

cc: The Honorable Allison K. Turner

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PPL Electric Utilities Corporation :
Supplement No. 38 to Tariff - Electric : Docket No. R-00049255
Pa. P.U.C. No. 201 :

RECEIVED

APR 22 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

CERTIFICATION OF SERVICE

I hereby certify that I have this day served a true copy of the responses of PPL Electric Utilities Corporation to Interrogatories of the Office of Small Business Advocate, Set I, Questions 1 through 3; Set III, Questions 1 through 8; and, Set IV, Questions 1 through 7, upon the participant(s) listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

VIA FEDERAL EXPRESS

Irwin A. Popowsky, Esquire
James A. Mullins, Esquire
Office Of Consumer Advocate
555 Walnut Street
5th Floor Forum Place
Harrisburg, PA 17101-1923

William Lloyd, Esquire
Steven C. Grey, Esquire
Office Of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17101

Johnnie Simms, Esquire
Richard A. Kanaskie, Esquire
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Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 3rd Floor West
Harrisburg, PA 17120

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US Army Legal Services Agency
901 North Stuart Street, Room 713
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3 Lost Creek Drive
Selinsgrove, PA 17870-9357

Joseph L. Vullo, Esquire
Attorney At Law
1460 Wyoming Avenue
Forty Fort, PA 18704-4237

Mr. Robert D. Knecht
Industrial Economics Incorporated
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Stephen J. Baron, President
J. Kennedy and Associates, Inc.
570 Colonial Park Drive
Suite 305
Roswell, GA 30075

Eric Epstein
4100 Hillside Drive
Harrisburg, PA 17112

Eugene M. Brady
Commission on Economic Opportunity
165 Amber Lane
Wilkes-Barre, PA 18703-1127

Dated: April 22, 2004



Paul E. Russell

Morgan, Lewis & Bockius LLP
One Commerce Square
417 Walnut Street
Harrisburg, PA 17101-1904
Tel: 717.237.4000
Fax: 717.237.4001
www.morganlewis.com

Morgan Lewis
COUNSELORS AT LAW

John H. Isom
717.237.4022
jisom@morganlewis.com

ORIGINAL

April 23, 2004

VIA HAND DELIVERY

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

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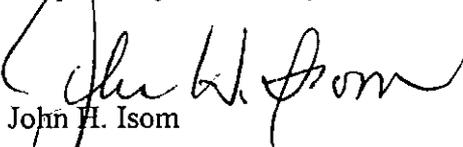
**Re: Pennsylvania Public Utility Commission v. PPL Electric Utilities Corporation
Docket No. R-00049255**

Dear Secretary McNulty:

Enclosed, for filing, are the original and three (3) copies of the "Objections of PPL Electric Utilities Corporation To Certain Interrogatories From the Office of Trial Staff." As indicated by the enclosed certificate of service, copies of the objections are being served upon all parties of record and upon the Honorable Allison K. Turner.

If there are any questions concerning these matters, please contact me at the addresses or telephone numbers provided above.

Respectfully submitted,


John H. Isom

JHI/ss

cc: Certificate of Service

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2004 APR 23 PM 3:25
PA PUC
SECRETARY'S BUREAU

62

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

Pennsylvania Public Utility Commission

:

v.

:

Docket No. R-00049255

PPL Electric Utilities Corporation

DOCKETED
MAY 03 2004

**OBJECTIONS OF PPL ELECTRIC
UTILITIES CORPORATION TO CERTAIN
INTERROGATORIES FROM THE
OFFICE OF TRIAL STAFF**

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2004 APR 23 PM 3:25
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To Administrative Law Judge Allison K. Turner:

PPL Electric Utilities Corporation ("PPL Electric") hereby objects, pursuant to 52 Pa. Code §5.342, to certain written interrogatories that were propounded by the Office of Trial Staff ("OTS") on PPL Electric on April 13, 2004. Specifically, PPL Electric objects to OTS Interrogatories, Set II, Nos. OTS-RE-14 through OTS-RE-22.

As explained more fully below, PPL Electric objects to these interrogatories because the information requested could be used only to relitigate matters resolved by the Pennsylvania Public Utility Commission's ("Commission") approval of the Settlement of PPL Electric's restructuring proceeding under the Electricity Generation Customer Choice and Competition Act, 66 Pa.C.S. Ch. 28 ("Competition Act"), at Docket No. R-00973954, a Settlement to which the OTS was a full signatory party. Under the Settlement, PPL Electric's Competitive Transition Charges (CTCs") and Capacity and Energy Charges ("CECs") were established separately for each rate class and for each year through 2009. PPL Electric objects to other interrogatories on the grounds that the information sought could only be used to litigate the level of PPL Electric's Intangible

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Transition Charges (“ITCs”), thereby placing at risk recovery of funds sufficient to pay principal and interest on Transition Bonds, in violation of the Commission’s Qualified Rate Order, Supplemental Qualified Rate Order and Section 2812(b)(3) of the Competition Act, 66 Pa.C.S. § 2812(b)(3).

In support of the objections, PPL Electric states the following:

A. Competitive Transition Charges

1. PPL Electric objects to interrogatories OTS-RE-14 through OTS-RE-16 and OTS-RE-22. In these interrogatories, OTS seeks information and computer software which deal with PPL Electric’s CTCs. Such CTCs, however, subject to certain exceptions which are not applicable here, were established by the Commission’s Final Order, entered on August 27, 1998, approving the “Joint Petition for Full Settlement of PP&L, Inc’s^[1] Restructuring Plan and Related Court Proceedings” (“Joint Settlement Petition”) in *Application of Pennsylvania Power & Light Company for Approval of its Restructuring Plan Under Section 2806 of the Public Utility Code*, PPL Electric’s restructuring proceeding, at Docket No. R-00973954.

a. Interrogatory OTS-RE-14 reads as follows:

“Provide an electronic copy, with the formula intact, showing the current *balance of the* Competitive Transition Charge (“CTCs”) by class, the proposed CTCs by class, and *the* corresponding revenue by class, for each CTC contained in the Company’s tariff for the years 2003 through 2009.”

b. Interrogatory OTS-RE-15 reads as follows:

“In reference to the proposed Competitive Transition charges shown on Rule 6A, Stand-By Service, shown on pages 10-D and 10-G of the proposed tariff.

¹ PPL Electric Utilities Corporation was named “Pennsylvania Power & Light Company when the restructuring proceeding was initiated. During the restructuring proceeding, it was renamed “PP&L, Inc.” Since then, it has been renamed PPL Electric Utilities Corporation, its present name.

- “A. Why is the Company proposing to lower the CTC in June 2004, then increase the CTC from 2005 through 2009?”
- “B. Explain why the proposed CTC varies so much between 2004 and 2009.
- “C. Explain why the Company did not propose to make the CTC equal each year from 2004 through 2009.”

c. Interrogatory OTS-RE-16 reads as follows:

“Provide a detailed explanation of how the Company determined the future CTCs, using the data in the spreadsheet provided in the response to OTS-RE-15.”

d. Interrogatory OTS-RE-22 reads as follows:

“In reference to Attachment “A” to the Company’s restructuring order at Docket R-00973954, entered June 15, 1998, provide a similar schedule that shows actual amounts for 1999 through 2003, and projected amounts through 2007-2009.”

2. As explained previously, the Commission resolved PPL Electric’s restructuring proceeding at Docket No. R-00973954, in the Final Order that was entered on August 27, 1998, approving the Joint Settlement Petition that had been filed on August 12, 1998.

3. Appendix B to the Joint Settlement Petition consisted of forms of tariff supplements implementing rates agreed to in the Joint Settlement Petition. Such rates included specific CTCs for each rate schedule for each calendar year through 2009. These CTCs were approved subject only to limited adjustments. Such adjustments included provisions for annual reconciliations and provisions to reflect the establishment of Intangible Transition Charges (“ITC”) upon the issuance of Transition Bonds. The forms of tariff supplements in Appendix B to the Joint Settlement Petition contained specific provisions governing reconciliations of the CTC revenues and expenses, and the

Final Order contained a Qualified Rate Order setting forth specific procedures for implementing ITCs.

4. Provided as Appendix "A" hereto is the Residential Rate Schedule from Appendix B to the Joint Settlement Petition. This Rate Schedule is provided to illustrate the manner in which the Final Order approving the Joint Settlement Petition established CTCs through 2009. Appendix B to the Joint Settlement Petition contains similar schedules for all other rate schedules separately establishing CTCs through 2009.

5. In this base rate proceeding, PPL Electric has not proposed any modifications to its CTCs.² Instead, PPL Electric proposes to continue to comply with the Commission's Order approving the Joint Settlement Petition in the restructuring proceeding.

6. Interrogatories OTS-RE-14 through OTS-RE-16 and OTS-RE-22 are irrelevant because they seek information which can only be used to address subjects which are beyond the scope of this proceeding.

7. Relitigation by OTS of the level of PPL Electric's CTCs is beyond the scope of this proceeding because any litigation by OTS of CTC issues would be in violation of its agreement, by participation in the Joint Settlement Petition, to the level of CTCs contained therein. In approving the Joint Settlement Petition, the Commission finally approved the very CTCs which OTS here seeks to challenge.

8. The Commission's Final Order approving the Joint Settlement Petition is different from a routine base rate order which is subject to modification. A typical base rate order simply specifies a set of rates as being just and reasonable at a moment in time,

² Supplement No. 38 appears to increase CTCs for all customers, but such increases are only a roll-in of PPL Electric's State Tax Adjustment Surcharge ("STAS"), as required by 52 Pa. Code § 69.55.

but not for all time. Such rates, thereafter, are subject to revision on a prospective basis in proceedings that can be initiated by a utility, a customer or the Commission.

9. The Final Order approving the Joint Settlement Petition is entirely different in that it specifies specific categories of rates, including CTCs, for each calendar year through 2009. That is, the Commission, following substantial litigation and subsequent settlement negotiations with participation by numerous parties approved specific CTCs for each rate class for each year through 2009. The CTCs for each rate class for each year through 2009 are set and fixed under the Commission's Final Order. Thus, the Commission in the Final Order determined that specific CTCs were just and reasonable for each calendar year through 2009. Such determinations cannot be altered.

10. OTS' attempt to relitigate issues resolved by the Final Order approving the Joint Settlement Petition is directly contrary to its contractual undertaking in the Joint Settlement Petition. Specifically, paragraph Q.1. at pages 47-48 at the Joint Settlement Petition provides as follows:

“This Settlement resolves, with prejudice, all of the issues specifically addressed herein and precludes the Joint Petitioners [including OTS] from asserting contrary positions with respect to any such issue during subsequent litigation, provided, however, that this Settlement is made without admission against or prejudice to any factual or legal positions which any of the Joint Petitioner may assert: (i) in the event that the Commission does not issue a Final, non-appealable Order approving this Settlement without modification; or (ii) in other Pennsylvania utilities' Restructuring proceedings before the Commission under Section 2806(D) of the Electric Competition Act and related appeals; or (iii) other proceedings before the Commission or other fora as long as such positions are not in derogation of this Settlement. . . . This Settlement is determinative and conclusive of all the issues addressed herein and constitutes a final adjudication as to the Joint Petitioners of the matters thereof.”

The OTS may not challenge matters determined by the Final Order approving the Joint Settlement Petition, including the CTCs established thereby.

11. The Competition Act contemplates that CTCs will be established only in the restructuring proceeding of each electric distribution company. 66 Pa.C.S. § 2808. The Competition Act does not contemplate relitigation of CTCs in subsequent proceedings.

12. PPL Electric objects to Interrogatory No OTS-RE-15 for an additional reason. That Interrogatory makes reference to and is based upon the Commission's Order that was entered on June 15, 1998, in PPL Electric's Restructuring Proceeding. The June 15, 1998 Order was the litigation Order in PPL Electric's restructuring proceeding. Numerous appeals were taken from that order, and court proceedings were filed challenging the June 15, 1998 Order. The Restructuring Proceeding was settled while the various appeals and court challenges were pending.

13. Interrogatory OTS-RE-22, likewise deals with PPL Electric's CTCs. For the Administrative Law Judge's convenience, a copy of attachment "A" to the Commission's Order entered on June 15, 1998, is provided as Appendix "B" hereto. As shown there, the subject deals exclusively with PPL Electric's CTCs. As explained above, all such matters were resolved by the Joint Settlement Petition, to which OTS was a signatory party.

14. Interrogatory OTS-RE-22 is irrelevant and therefore objectionable for the additional reason that it relates to the Commission's Order entered June 15, 1998, which was revised substantially as a result of the Commission's Final Order entered August 27,

1998, approving the Joint Settlement Petition. In fact, with regard to the CTCs, the Joint Settlement Petition totally superseded the June 15, 1998 Order.

15. All of PPL Electric's objections to Interrogatories OTS-RE-14 through OTS-RE-16 apply also to Interrogatory OTS-RE-22.

B. Capacity and Energy Charges

16. PPL objects to interrogatories OTS-RE-20 and OTS-RE-21 which relate to Capacity and Energy Charges (CECs).

a. Interrogatory OTS-RE-20 reads as follows:

“Provide an electronic copy, with the formula intact, showing the current balance of the Capacity and Energy Charge (“CEC”) by class, the proposed CECs by class, and the corresponding revenue by class, for each CEC contained in the Company's tariff for the years 2003 through 2009.”

b. Interrogatory OTS-RE-21 reads as follows:

“Provide detailed explanation of how the Company determined the future CECs, using the data in the spreadsheet provided in the response to OTS-RE-20.”

17. OTS's interrogatories dealing with CECs contain information concerning PPL Electric's CECs. Such CECs, however, are not subject to change. Therefore, OTS' interrogatories are beyond the scope of this proceeding

18. As explained previously, attached as Appendix “A” hereto is a copy of the Residential Rate Schedule from Appendix B to the Joint Settlement Petition in PPL Electric's restructuring proceeding. As shown there, at pages 20(a)-20(b) of PPL Electric's Tariff – Electric Pa. P.U.C. No. 201, Appendix B to the Joint Settlement Petition, the Joint Settlement Petition and Final Order approving it, establishes specific CECs for residential customers for each year through 2009. Appendix B to the Joint Settlement Petition contained similar schedules of CECs for each rate schedule. Thus, all

issues related to the CECs through 2009 were resolved by the Commission's Final Order approving the Joint Settlement Petition.

19. PPL Electric has not proposed any modification to the level of CECs that it provided for the Joint Settlement Petition, to which OTS was a fully party.³

20. The averments of Paragraph Nos. 1 through 11 of these Objections are incorporated herein by reference. All of PPL Electric's Objections, explained in Paragraph Nos. 1 through 11, above, dealing with CTCs, apply equally to PPL Electric's objections to OTS interrogatories dealing with CECs.

C. Intangible Transition Charges

21. PPL Electric objects to interrogatories OTS-RE-17 through OTS-RE-19 which deal with Intangible Transition Charges ("ITCs").

a. Interrogatory OTS-RE-17 reads as follows:

"Provide an electronic copy, with the formula intact, showing the current balance of the Intangible Transition Charge ("ITC") by class, the proposed ITCs by class, and the corresponding revenue by class, for each ITS contained in the Company's tariff for the years 2003 through 2009."

b. Interrogatory OTS-RE-18 reads as follows:

"Provide a detailed explanation of how the Company determined the future ITCs, using the data in the spreadsheet provided in the response of OTS-RE-17."

c. Interrogatory OTS-RE-19 reads as follows:

"In reference to the proposed Intangible Transition Charges, shown on Rule 6A, Stand-By Service, shown on pages 10-E and 10-H&I of the proposed tariff

"A. Explain why the proposed ITC is so large in 2004 compared to 2005-2008,

³ Supplement No. 38 appears to increase CECs for all customers, but such increases are only a roll-in of PPL Electric's State Tax Adjustment Surcharge, as required under 52 Pa. Code § 69.55.

“B. Explain why the Company did not propose to make the ITC equal each year from 2004 through 2009.”

22. These OTS’ interrogatories deal with PPL Electric’s ITCs, which, as explained below are not subject to change. Therefore, OTS’ Interrogatories dealing with ITCs are beyond the scope of this proceeding. PPL Electric in this proceeding has not proposed any increase to its ITCs.⁴ Any adjustment to PPL Electric’s ITCs would violate the Commission’s Qualified Rate Order, Supplemental Qualified Rate Order and Section 2812 of the Competition Act, 66 Pa. C.S. §2812.

23. The averments of Paragraphs number 1 through 11 of the Objections are incorporated herein by reference. All of PPL Electric’s Objections in Paragraph Nos. 1 through 11, above, dealing with CTCs, apply equally to PPL Electric’s Objections to OTS Interrogatories dealing with ITCs.

24. OTS’ Interrogatories dealing with ITCs are improper for the additional reason that any attempt to modify PPL Electric’s ITCs would violate the Commission’s Qualified Rate Order (“QRO”) that was included in the Final Order approving the Joint Settlement Petition in PPL Electric’s restructuring proceeding (*see* Final Order, Paragraph Nos. 5 through 21). Specifically, paragraph 18 of the Final Order provides:

“That this Commission hereby declares that paragraph 5-21 of this Qualified Rate Order shall be irrevocable for purposes of Section 2812 of the Public Utility Code 66 Pa. C.S. §2812, and accordingly agrees that it will not directly or indirectly, by any subsequent action, reduce, postpone, impair or terminate this Qualified Rate Order or the Intangible Transition Charges authorized to be imposed are collected under this Qualified Rate Order. This Commission further declares that the right, title and interest of PP&L and any Assignee in this Qualified Rate Order and the Intangible Transition Charges, the rates or other charges

⁴ Supplement No. 38 appears to increase ITCs for all customers, but such increases are only a roll-in of PPL Electric’s State Tax Adjustment Surcharge, as required under 52 Pa. Code § 69.55.

authorized hereby and all revenues, collections, claims, payments, money or proceeds of or arising from the same constitutes Intangible Transition Property. PP&L shall have the irrevocable right to issue Transition Bonds in accordance with this Qualified Order until December 31, 2009.”

25. Any attempt to relitigate issues related to the level of ITCs would violate Section 2812 of the Competition Act, 66 Pa.C.S. § 2812, which authorizes the issuance of Transition Bonds. Specifically, Section 2812(b)(3) the Competition Act, 66 Pa.C.s. § 2812 (b)(3), which provides that:

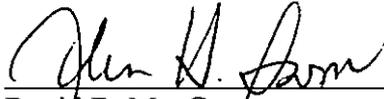
“Notwithstanding any other provision of law, the Commission has the power to specify that all or a portion of a qualified rate order shall be irrevocable. To the extent so specified, neither the order neither the intangible transition charges authorized to be imposed and collected under the order shall be subject to reduction, postponement, impairment or termination or any other subsequent action of the Commission....”

Thus, the Commission may not require that PPL Electric’s ITCs be altered except for annual reconciliation adjustments which insure timely payment of principal and interest which adjustment procedure also was approved by the Commission (Final Order, Paragraph No. 11).^{5/}

26. For these reasons, OTS is precluded from relitigating the ITCs authorized by the Commission in the QRO portion of the Final Order approving the Joint Settlement Petition and the SQRO. Joint Settlement Petitions precludes any litigation by OTS of the matters resolved by the Joint Settlement Petition, which includes, CTCs, ITCs and CECs.

5/ PPL Electric sought and obtained a Supplement Qualified Rate Order (“SQRO”), which was entered on May 21, 1999, at Docket No. R-00994637, approving a unanimous settlement of PPL Electric’s petition for issuance of a Supplemental Qualified Rate Order. The Supplemental Qualified Rate Order contained additional provisions which enhanced the marketability of Transition Bonds. The Supplemental Qualified Rate Order made even more clear that the Commission could not modify PPL Electric’s ITCs.

Respectfully submitted,



David B. MacGregor
Morgan, Lewis & Bockius LLP
1701 Market Street
Philadelphia, PA 19103-2921
Voice: 215.963.5448
Fax: 215.963.5001
E-mail: dmacgregor@morganlewis.com

Michael W. Gang
John H. Isom
Morgan, Lewis & Bockius LLP
One Commerce Square
417 Walnut Street
Harrisburg, PA 17101-1904
Voice: 717.237.4000
Fax: 717.237.4004
E-mail: mgang@morganlewis.com
jisom@morganlewis.com

Paul E. Russell
Associate General Counsel
PPL Services Corporation
Office of General Counsel
Two North Ninth Street
Allentown, PA 18101-1179
Voice: 610.774.4254
Fax: 610.774.6726
E-mail: perussell@pplweb.com

Attorneys for PPL Electric
Utilities Corporation

Of Counsel:

Morgan, Lewis & Bockius LLP

Date: April 23, 2004

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing Objections of PPL Electric Utilities Corporation to Certain Interrogatories from the Office of Trial Staff and upon the participant(s), listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

VIA FIRST-CLASS MAIL

Tanya J. McCloskey, Esquire
James A. Mullins, Esquire
Lori A. Herman, Esquire
Aron J. Beatty, Esquire
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

Richard A. Kanaskie, Esquire
Office of Trial Staff
Commonwealth Keystone Building
400 North Street, 2nd Floor West
PO Box 3265
Harrisburg, PA 17105-3265

David A. McCormick, Esquire
Department of the Army
Office of The Judge Advocate General
901 North Stuart Street
Arlington, VA 22203-1837

Scott J. Rubin, Esquire
3 Lost Creek Drive
Selinsgrove, PA 17870-9357

Honorable Allison K. Turner
Administrative Law Judge
Pennsylvania Public Utility Commission
Philadelphia State Office Building
1400 West Spring Garden Street
Room 1302
Philadelphia, PA 19130

Steven C. Gray, Esquire
Office of Small Business Advocate
Commerce Building, Suite 1102
300 North Second Street
Harrisburg, PA 17101

David M. Kleppinger, Esquire
Pamela C. Polacek, Esquire
Karen S. Miller, Esquire
McNees Wallace & Nurick
100 Pine Street
PO Box 1166
Harrisburg, PA 71108

Stephen J. Baron, President
J. Kennedy & Associates Inc.
570 Colonial Park Drive, Suite 305
Roswell, GA 30075-3770

Eric Joseph Epstein
4100 Hillsdale Road
Harrisburg, PA 17112

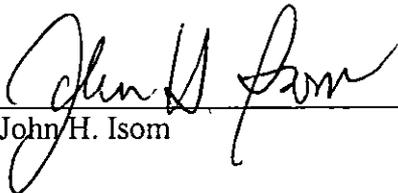
Joseph L. Vullo, Esquire
Attorney at Law
1460 Wyoming Avenue
Forty Fort, PA 18704

RECEIVED
2004 APR 23 PM 3:25
PA PUC
SECRETARY'S BUREAU

Eugene M. Brady
Commission on Economic Opportunity
165 Amber Lane
P.O. Box 1127
Wilkes-Barre, PA 18703

Kent D. Murphy, Esquire
Legal Department
Exelon Business Services Company
2301 Market Street/23-1
P.O. Box 8699
Philadelphia, PA 19101-8699

Date: April 23, 2004



John H. Isom

Morgan, Lewis & Bockius LLP
One Commerce Square
417 Walnut Street
Harrisburg, PA 17101-1904
Tel: 717.237.4000
Fax: 717.237.4001
www.morganlewis.com

John H. Isom
717.237.4022
jisom@morganlewis.com

April 26, 2004

VIA HAND DELIVERY

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

RECEIVED
2004 APR 26 PM 2:00
PAPUC
SECRETARY'S BUREAU

**Re: PAPUC v. PPL Electric Utilities
Docket No. R-00049255**

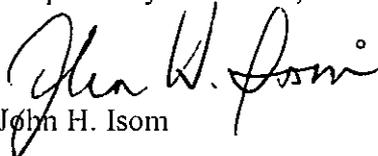
Dear Secretary McNulty:

Enclosed for filing are an original and three (3) copies of the "Answer of PPL Electric Utilities Corporation to the Petition of The International Brotherhood of Electrical Workers, Local 1600," in the above-reference proceeding.

As indicated on the certificate of service, copies have been served on all parties of record.

If you have any questions concerning these matters, please contact me at the addresses or telephone numbers provided above.

Respectfully submitted,


John H. Isom

JHI/ss
Enclosures
cc: Certificate of Service

**DOCUMENT
FOLDER**

165

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission :
v. : Docket No. R-00049255
PPL Electric Utilities Corporation :

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2004 APR 26 PM 4:00
PENNSYLVANIA P.U.C.
SECRETARY'S BUREAU

**ANSWER OF PPL ELECTRIC UTILITIES
CORPORATION TO THE PETITION OF THE INTERNATIONAL
BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL 1600**

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

PPL Electric Utilities Corporation ("PPL Electric") hereby answers the Petition of the International Brotherhood of Electrical Workers, Local 1600 ("IBEW") to Intervene in the above-captioned proceeding.

1. The averments of Paragraph No. 1 of the Petition are admitted.
2. The averments of Paragraph No. 2 of the Petition are admitted.
3. The averments of Paragraph No. 3 of the Petition are statements of expectations of the IBEW concerning the above-captioned proceeding. As such, the averments are not averments of fact, and therefore, no response is required.
4. The averments of Paragraph No. 4 of the Petition are denied. To the contrary, the interests of the members of the IBEW are represented by the Office of Consumer Advocate which represents primarily residential customers and the Office of Trial Staff which balances the interests of all customers. By way of further response, however, PPL Electric does not object to the intervention by the IBEW in the above-captioned proceeding.

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APR 30 2004

5. The averments of Paragraph No. 5 of the Petition are statements of IBEW's objective intent in this proceeding. As such, they are not averments of fact and no response is required.

The remaining averments of the Petition are requests for relief to which no response is required. By way of further response, however, PPL Electric does not object to the intervention by the International Brotherhood of Electrical Workers, Local 1600 in the above-captioned proceeding.

Respectfully submitted,



David B. MacGregor
Morgan, Lewis & Bockius LLP
1701 Market Street
Philadelphia, PA 19103-2921
Voice: 215.963.5448
Fax: 215.963.5001
E-mail: dmacgregor@morganlewis.com

Michael W. Gang
John H. Isom
Morgan, Lewis & Bockius LLP
One Commerce Square
417 Walnut Street
Harrisburg, PA 17101-1904
Voice: 717.237.4000
Fax: 717.237.4004
E-mail: mgang@morganlewis.com
jisom@morganlewis.com

Paul E. Russell
Associate General Counsel
Office of General Counsel
PPL Services Corporation
Two North Ninth Street
Allentown, PA 18101-1179
Voice: 610.774.4254
Fax: 610.774.6726
E-mail: perussell@pplweb.com

Of Counsel:

Morgan, Lewis & Bockius LLP

Date: April 26, 2004

Attorneys for PPL Electric
Utilities Corporation

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing correspondence and Answer of PPL Electric Utilities Corporation to the Petition of the International Brotherhood of Electrical Workers, Local 1600 upon the participant(s), listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

VIA FIRST-CLASS MAIL

Tanya J. McCloskey, Esquire
James A. Mullins, Esquire
Lori A. Herman, Esquire
Aron J. Beatty, Esquire
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

Steven C. Gray, Esquire
Office of Small Business Advocate
Commerce Building, Suite 1102
300 North Second Street
Harrisburg, PA 17101

Richard A. Kanaskie, Esquire
Office of Trial Staff
Commonwealth Keystone Building
400 North Street, 2nd Floor West
PO Box 3265
Harrisburg, PA 17105-3265

David M. Kleppinger, Esquire
Pamela C. Polacek, Esquire
Karen S. Miller, Esquire
McNees Wallace & Nurick
100 Pine Street
PO Box 1166
Harrisburg, PA 71108

David A. McCormick, Esquire
Department of the Army
Office of The Judge Advocate General
901 North Stuart Street
Arlington, VA 22203-1837

Stephen J. Baron, President
J. Kennedy & Associates Inc.
570 Colonial Park Drive, Suite 305
Roswell, GA 30075-3770

Scott J. Rubin, Esquire
3 Lost Creek Drive
Selinsgrove, PA 17870-9357

Eric Joseph Epstein
4100 Hillsdale Road
Harrisburg, PA 17112

Honorable Allison K. Turner
Administrative Law Judge
Pennsylvania Public Utility Commission
Philadelphia State Office Building
1400 West Spring Garden Street
Room 1302
Philadelphia, PA 19130

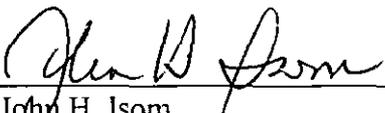
Joseph L. Vullo, Esquire
Attorney at Law
1460 Wyoming Avenue
Forty Fort, PA 18704

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PA PUC
SECRETARY'S BUREAU

Eugene M. Brady
Commission on Economic Opportunity
165 Amber Lane
P.O. Box 1127
Wilkes-Barre, PA 18703

Kent D. Murphy, Esquire
Legal Department
Exelon Business Services Company
2301 Market Street/23-1
P.O. Box 8699
Philadelphia, PA 19101-8699

Date: April 26, 2004



John H. Isom

Morgan, Lewis & Bockius LLP
One Commerce Square
417 Walnut Street
Harrisburg, PA 17101-1904
Tel: 717.237.4000
Fax: 717.237.4001
www.morganlewis.com

ORIGINAL

Morgan Lewis
COUNSELORS AT LAW

John H. Isom
717.237.4022
jisom@morganlewis.com

April 26, 2004

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VIA HAND DELIVERY

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

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2004 APR 26 PM 4:02
SECRETARY'S BUREAU
PAPUC

**Re: PAPUC v. PPL Electric Utilities
Docket No. R-00049255**

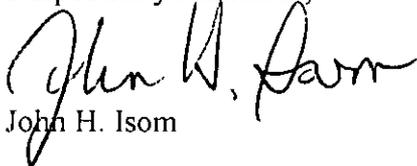
Dear Secretary McNulty:

Enclosed for filing are an original and three (3) copies of the "Answer of PPL Electric Utilities Corporation to the Petition of PECO Energy Company to Intervene," in the above-reference proceeding.

As indicated on the certificate of service, copies have been served on all parties of record.

If you have any questions concerning these matters, please contact me at the addresses or telephone numbers provided above.

Respectfully submitted,


John H. Isom

JHI/ss

Enclosures

cc: Certificate of Service

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DOCKETED
JUL 19 2004

Pennsylvania Public Utility Commission :
v. : Docket No. R-00049255
PPL Electric Utilities Corporation :

**ANSWER OF PPL ELECTRIC UTILITIES
CORPORATION TO THE PETITION OF PECO
ENERGY COMPANY TO INTERVENE**

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2004 APR 26 PM 4:02
SECRETARY'S BUREAU
PUC

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

PPL Electric Utilities Corporation ("PPL Electric") hereby answers the Petition of PECO Energy Company ("PECO") to Intervene in the above-captioned proceeding.

1. The averments of Paragraph No. 1 of the Petition are denied as stated. Such averments are PECO's summary of the tariff supplement, testimony and exhibits that were filed with the Commission by PPL Electric on March 29, 2004. Such documents speak for themselves, and PECO's characterizations of them are denied.
2. The averments of Paragraph No. 2 of the Petition are admitted.
3. The averments of Paragraph No. 3 of the Petition are conclusions of law to which no response is required.
4. The averments of Paragraph No. 4 of the Petition are admitted in part and denied in part. It is admitted that PECO is a customer of PPL Electric and will be affected by the Pennsylvania Public Utility Commission's ("Commission") decisions in PPL Electric's base-rate case.

Although PECO, as an electric distribution company, may be affected by precedents established by the Commission in PPL Electric's base-rate case, such interest

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is not sufficient to create standing to intervene as a party. If PECO's assertions were correct, then every electric distribution company, every electric generation supplier and every customer of every electric distribution company in Pennsylvania would have standing to intervene in PPL Electric's base-rate proceeding, which is clearly not the case.

PECO's speculation about its acting as an Electric Generation Supplier is denied. To the best of PPL Electric's knowledge, information and belief, PECO is not licensed as an Electric Generation Supplier in Pennsylvania, and until it obtains such a license, it may not act as an Electric Generation Supplier.

By way of further response, however, PPL Electric does not object to PECO's intervention in the above-captioned proceeding.

5. The averments of Paragraph No. 5 of the Petition are denied. The averments of Paragraph No. 4 of this Answer are incorporated herein by reference.

6. The averments of Paragraph No. 6 of the Petition are statements of PECO's intentions in the above-captioned base-rate proceeding. As such, they are not averments of fact, and therefore, no response is required.

7. The averments of Paragraph No. 7 of the Petition are admitted. The remaining averments of the Petition are requests for relief to which no response is required. By way of further response, however, PPL Electric does not oppose PECO's intervention in this proceeding.

Respectfully submitted,



David B. MacGregor
Morgan, Lewis & Bockius LLP
1701 Market Street
Philadelphia, PA 19103-2921
Voice: 215.963.5448
Fax: 215.963.5001
E-mail: dmacgregor@morganlewis.com

Michael W. Gang
John H. Isom
Morgan, Lewis & Bockius LLP
One Commerce Square
417 Walnut Street
Harrisburg, PA 17101-1904
Voice: 717.237.4000
Fax: 717.237.4004
E-mail: mgang@morganlewis.com
jisom@morganlewis.com

Paul E. Russell
Associate General Counsel
Office of General Counsel
PPL Services Corporation
Two North Ninth Street
Allentown, PA 18101-1179
Voice: 610.774.4254
Fax: 610.774.6726
E-mail: perussell@pplweb.com

Attorneys for PPL Electric
Utilities Corporation

Of Counsel:

Morgan, Lewis & Bockius LLP

Date: April 26, 2004

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing correspondence and Answer of PPL Electric Utilities Corporation to the Petition of PECO Energy Company to Intervene upon the participant(s), listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

VIA FIRST-CLASS MAIL

Tanya J. McCloskey, Esquire
James A. Mullins, Esquire
Lori A. Herman, Esquire
Aron J. Beatty, Esquire
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

Steven C. Gray, Esquire
Office of Small Business Advocate
Commerce Building, Suite 1102
300 North Second Street
Harrisburg, PA 17101

Richard A. Kanaskie, Esquire
Office of Trial Staff
Commonwealth Keystone Building
400 North Street, 2nd Floor West
PO Box 3265
Harrisburg, PA 17105-3265

David M. Kleppinger, Esquire
Pamela C. Polacek, Esquire
Karen S. Miller, Esquire
McNees Wallace & Nurick
100 Pine Street
PO Box 1166
Harrisburg, PA 71108

David A. McCormick, Esquire
Department of the Army
Office of The Judge Advocate General
901 North Stuart Street
Arlington, VA 22203-1837

Stephen J. Baron, President
J. Kennedy & Associates Inc.
570 Colonial Park Drive, Suite 305
Roswell, GA 30075-3770

Scott J. Rubin, Esquire
3 Lost Creek Drive
Selinsgrove, PA 17870-9357

Eric Joseph Epstein
4100 Hillsdale Road
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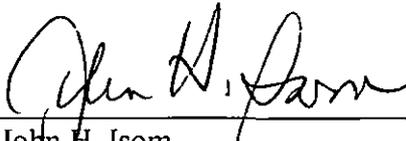
Joseph L. Vullo, Esquire
Attorney at Law
1460 Wyoming Avenue
Fort Fort, PA 18704

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PA PUC
SECRETARY'S BUREAU

Eugene M. Brady
Commission on Economic Opportunity
165 Amber Lane
P.O. Box 1127
Wilkes-Barre, PA 18703

Kent D. Murphy, Esquire
Exelon Business Services Company
2301 Market Street / 23-1
P.O. Box 8699
Philadelphia, PA 19101-8699

Date: April 26, 2004



John H. Isom

Morgan, Lewis & Bockius LLP
One Commerce Square
417 Walnut Street
Harrisburg, PA 17101-1904
Tel: 717.237.4000
Fax: 717.237.4001
www.morganlewis.com

ORIGINAL

Morgan Lewis
COUNSELORS AT LAW

John H. Isom
717.237.4022
jisom@morganlewis.com

April 26, 2004

VIA HAND DELIVERY

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

**Re: PAPUC v. PPL Electric Utilities
Docket No. R-00049255**

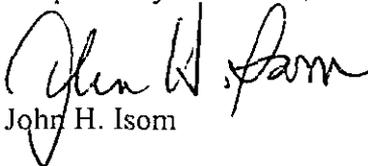
Dear Secretary McNulty:

Enclosed for filing are an original and three (3) copies of the "Answer of PPL Electric Utilities Corporation to the Petition of the Commission on Economic Opportunity to Intervene," in the above-reference proceeding.

As indicated on the certificate of service, copies have been served on all parties of record.

If you have any questions concerning these matters, please contact me at the addresses or telephone numbers provided above.

Respectfully submitted,


John H. Isom

JHI/ss

Enclosures

cc: Certificate of Service

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FOLDER

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2004 APR 26 PM 4:01
PA PUC
SECRETARY'S BUREAU

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission :
v. : Docket No. R-00049255
PPL Electric Utilities Corporation :

SECRETARY'S BUREAU
P.A. PUC

2004 APR 26 PM 4: 01

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ANSWER OF PPL ELECTRIC UTILITIES
CORPORATION TO THE PETITION OF THE COMMISSION
ON ECONOMIC OPPORTUNITY TO INTERVENE

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

PPL Electric Utilities Corporation ("PPL Electric") hereby answers the Petition of the Commission on Economic Opportunity ("CEO") to Intervene in the above-captioned proceeding.

1. Information concerning CEO is not reasonably available to PPL Electric, and therefore, such averments are denied. Strict proof thereof is demanded at hearing, if relevant. PPL Electric notes that CEO does not allege that it is a customer of PPL Electric.

2. Information concerning CEO is not reasonably available to PPL Electric, and therefore, such averments are denied and strict proof thereof is demanded at hearing, if relevant. PPL Electric notes that CEO does not allege that it is a customer of PPL Electric.

3. The averments of Paragraph No. 3 of the Petition are statements of CEO's subjective intent in this proceeding. As such, they are not averments of facts, and therefore, no response is required.

DOCUMENT
FOLDER

DOCKETED
APR 30 2004

4. In response to Paragraph No. 4 of the Petition, it is admitted that PPL Electric serves approximately 1.3 million customers in all or portions of twenty-nine counties in central and eastern Pennsylvania, including Luzerne County.

5. The averments of Paragraph No. 5 of the Petition are statements of CEO's subjective intent in this proceeding. As such, they are not averments of facts, and therefore, no response is required.

6. The averments of Paragraph No. 6 of the Petition are denied. By way of further response, however, PPL Electric does not oppose CEO's intervention in the proceeding.

7. The averments of Paragraph No. 7 of the Petition are denied. To the contrary, the interests of low-income customers of PPL Electric residing in Luzerne County are represented by the Office of Consumer Advocate, which principally represents the interests of residential customers and the Office of Trial Staff, which represents the interests of all customers.

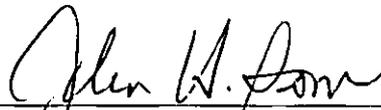
8. The averments of Paragraph No. 8 of the Petition are denied as stated. To the contrary, PPL Electric has adopted universal service programs which are designed to assist low-income, payment-troubled customers.

9. The averments of Paragraph No. 9 of the Petition are denied as stated. PPL Electric has implemented universal service programs to assist low-income, payment-troubled customers.

10. The averments of Paragraph No. 10 of the Petition are statements of CEO's concerns. As such, they are not averments of facts, and therefore, no response is required.

The remaining averments of the Petition are requests for relief to which no response is required. By way of further response, PPL Electric does not oppose CEO's participation in the proceeding.

Respectfully submitted,



David B. MacGregor
Morgan, Lewis & Bockius LLP
1701 Market Street
Philadelphia, PA 19103-2921
Voice: 215.963.5448
Fax: 215.963.5001
E-mail: dmacgregor@morganlewis.com

Michael W. Gang
John H. Isom
Morgan, Lewis & Bockius LLP
One Commerce Square
417 Walnut Street
Harrisburg, PA 17101-1904
Voice: 717.237.4000
Fax: 717.237.4004
E-mail: mgang@morganlewis.com
jisom@morganlewis.com

Paul E. Russell
Associate General Counsel
PPL Services Corporation
Office of General Counsel
Two North Ninth Street
Allentown, PA 18101-1179
Voice: 610.774.4254
Fax: 610.774.6726
E-mail: perussell@pplweb.com

Of Counsel:

Morgan, Lewis & Bockius LLP

Date: April 26, 2004

Attorneys for PPL Electric
Utilities Corporation

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing correspondence and Answer Of PPL Electric Utilities Corporation to the Petition of the Commission on Economic Opportunity to Intervene upon the participant(s), listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

VIA FIRST-CLASS MAIL

Tanya J. McCloskey, Esquire
James A. Mullins, Esquire
Lori A. Herman, Esquire
Aron J. Beatty, Esquire
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

Steven C. Gray, Esquire
Office of Small Business Advocate
Commerce Building, Suite 1102
300 North Second Street
Harrisburg, PA 17101

Richard A. Kanaskie, Esquire
Office of Trial Staff
Commonwealth Keystone Building
400 North Street, 2nd Floor West
PO Box 3265
Harrisburg, PA 17105-3265

David M. Kleppinger, Esquire
Pamela C. Polacek, Esquire
Karen S. Miller, Esquire
McNees Wallace & Nurick
100 Pine Street
PO Box 1166
Harrisburg, PA 71108

David A. McCormick, Esquire
Department of the Army
Office of The Judge Advocate General
901 North Stuart Street
Arlington, VA 22203-1837

Stephen J. Baron, President
J. Kennedy & Associates Inc.
570 Colonial Park Drive, Suite 305
Roswell, GA 30075-3770

Scott J. Rubin, Esquire
3 Lost Creek Drive
Selinsgrove, PA 17870-9357

Eric Joseph Epstein
4100 Hillsdale Road
Harrisburg, PA 17112

Honorable Allison K. Turner
Administrative Law Judge
Pennsylvania Public Utility Commission
Philadelphia State Office Building
1400 West Spring Garden Street
Room 1302
Philadelphia, PA 19130

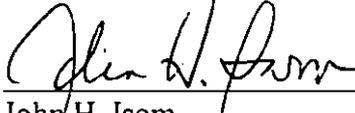
Joseph L. Vullo, Esquire
Attorney at Law
1460 Wyoming Avenue
Forty Fort, PA 18704

RECEIVED
2001 APR 26 PM 4:01
PA PUC
SECRETARY'S BUREAU

Eugene M. Brady
Commission on Economic Opportunity
165 Amber Lane
P.O. Box 1127
Wilkes-Barre, PA 18703

Kent D. Murphy, Esquire
Legal Department
Exelon Business Services Company
2301 Market Street/23-1
P.O.Box 8699
Philadelphia, PA 19101-8699

Date: April 26, 2004



John H. Isom

Paul Russell
Associate General Counsel

PPL
Two North Ninth Street
Allentown, PA 18101-1179
Tel. 610.774.4254 Fax 610.774.6726
perussell@pplweb.com



April 26, 2004

FEDERAL EXPRESS

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APR 26 2004

James J. McNulty, Esquire
Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, Pennsylvania 17120

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

DOCUMENT

**Re: PPL Electric Utilities Corporation
Supplement No. 38 to Tariff -
Electric Pa. P.U.C. No. 201
Docket No. R-00049255**

Dear Mr. McNulty:

Attached for filing, pursuant to the Commission's regulations, 52 Pa. Code § 5.342(d), is a Certificate of Service identifying responses to interrogatories that PPL Electric Utilities Corporation served today on the active participants in this proceeding.

If you have any questions regarding these responses, please call.

Very truly yours,

Paul E. Russell

Attachment

cc: The Honorable Allison K. Turner

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PPL Electric Utilities Corporation :
Supplement No. 38 to Tariff - Electric : Docket No. R-00049255
Pa. P.U.C. No. 201 :

CERTIFICATION OF SERVICE

I hereby certify that I have this day served a true copy of the responses of PPL Electric Utilities Corporation to Interrogatories of the Office of Small Business Advocate, Set II, Questions 1 and 2; upon the participant(s) listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

VIA FEDERAL EXPRESS

Irwin A. Popowsky, Esquire
James A. Mullins, Esquire
Office Of Consumer Advocate
555 Walnut Street
5th Floor Forum Place
Harrisburg, PA 17101-1923

William Lloyd, Esquire
Steven C. Grey, Esquire
Office Of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17101

Johnnie Simms, Esquire
Richard A. Kanaskie, Esquire
Office Of Trial Staff
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 3rd Floor West
Harrisburg, PA 17120

David M. Kleppinger, Esquire
Pamela Polacek, Esquire
McNees, Wallace & Nurick
100 Pine Street
Harrisburg, PA 17108

David A. McCormick, Esquire
Regulatory Law Office (JALS-RL)
US Army Legal Services Agency
901 North Stuart Street, Room 713
Arlington, VA 22203-1837

Scott Rubin, Esquire
3 Lost Creek Drive
Selinsgrove, PA 17870-9357

Joseph L. Vullo, Esquire
Attorney At Law
1460 Wyoming Avenue
Forty Fort, PA 18704-4237

Mr. Robert D. Knecht
Industrial Economics Incorporated
2067 Massachusetts Avenue
Cambridge, MA 02140

Stephen J. Baron, President
J. Kennedy and Associates, Inc.
570 Colonial Park Drive
Suite 305
Roswell, GA 30075

Eric Epstein
4100 Hillside Drive
Harrisburg, PA 17112

Eugene M. Brady
Commission on Economic Opportunity
165 Amber Lane
Wilkes-Barre, PA 18703-1127

Kent Murphy, Esquire
Legal Division
Exelon Business Services Company
2301 Market Street/23-1
Philadelphia, PA 19103

Dated: April 26, 2004



Paul E. Russell

Paul Russell
Associate General Counsel

PPL
Two North Ninth Street
Allentown, PA 18101-1179
Tel. 610.774.4254 Fax 610.774.6726
perussell@ppiweb.com



April 28, 2004

FEDERAL EXPRESS

RECEIVED

APR 28 2004

James J. McNulty, Esquire
Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, Pennsylvania 17120

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

DOCUMENT
FOLDER

Re: **PPL Electric Utilities Corporation
Supplement No. 38 to Tariff -
Electric Pa. P.U.C. No. 201
Docket No. R-00049255**

Dear Mr. McNulty:

Attached for filing, pursuant to the Commission's regulations, 52 Pa. Code § 5.342(d), is a Certificate of Service identifying responses to interrogatories that PPL Electric Utilities Corporation served today on the active participants in this proceeding.

If you have any questions regarding these responses, please call.

Very truly yours,

Paul E. Russell

Attachment

cc: The Honorable Allison K. Turner

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PPL Electric Utilities Corporation :
Supplement No. 38 to Tariff - Electric :
Pa. P.U.C. No. 201 :

Docket No. R-00049255

RECEIVED

APR 28 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

CERTIFICATION OF SERVICE

I hereby certify that I have this day served a true copy of the responses of PPL Electric Utilities Corporation to Interrogatories of the Office of Trial Staff, Set 1, Question OTS-RE-5 (Revised); Set 2, Questions OTS-RE-13 through OTS-RE-33; and Set 3, Questions OTS-RS-1 through OTS-RS-35, upon the participant(s) listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

VIA FEDERAL EXPRESS

Irwin A. Popowsky, Esquire
James A. Mullins, Esquire
Office Of Consumer Advocate
555 Walnut Street
5th Floor Forum Place
Harrisburg, PA 17101-1923

William Lloyd, Esquire
Steven C. Grey, Esquire
Office Of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17101

Johnnie Simms, Esquire
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Office Of Trial Staff
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 3rd Floor West
Harrisburg, PA 17120

David M. Kleppinger, Esquire
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McNees, Wallace & Nurick
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Regulatory Law Office (JALS-RL)
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Selinsgrove, PA 17870-9357

Joseph L. Vullo, Esquire
Attorney At Law
1460 Wyoming Avenue
Forty Fort, PA 18704-4237

Mr. Robert D. Knecht
Industrial Economics Incorporated
2067 Massachusetts Avenue
Cambridge, MA 02140

Thomas Caitlin
Exeter Associates
5565 Sterrett Place
Suite 310
Columbia, MD 21044

Dated: April 28, 2004

Stephen J. Baron, President
J. Kennedy and Associates, Inc.
570 Colonial Park Drive
Suite 305
Roswell, GA 30075

Eric Epstein
4100 Hillside Drive
Harrisburg, PA 17112

Eugene M. Brady
Commission on Economic Opportunity
165 Amber Lane
Wilkes-Barre, PA 18703-1127

Kent Murphy, Esquire
Legal Division
Exelon Business Services Company
2301 Market Street/23-1
Philadelphia, PA 19103



Paul E. Russell

Thomas, Thomas, Armstrong & Niesen ORIGINAL
Attorneys and Counsellors at Law

SUITE 500
212 LOCUST STREET
P. O. BOX 9500
HARRISBURG, PA 17108-9500

PATRICIA ARMSTRONG

Direct Dial: (717) 255-7627
E-Mail: parmstrong@titanlaw.com

www.titanlaw.com

FIRM (717) 255-7600
FAX (717) 236-8278

CHARLES E. THOMAS
(1913 - 1998)

April 28, 2004

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
P.O. Box 3265
Harrisburg, PA 17105-3265

DOCUMENT
FOLDER

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2004 APR 28 PM 3:57
SECRETARY'S BUREAU

In re: PPL Electric Utilities Corporation
Docket No. R-00049255

Dear Secretary McNulty:

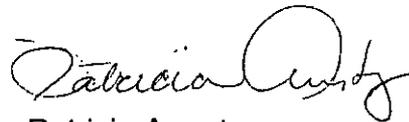
Enclosed for filing on behalf of the Sustainable Energy Fund of Central Eastern Pennsylvania ("SEF") are an original and three (3) copies of SEF's Petition to Intervene in the above referenced proceeding. Also enclosed are an original and three (3) copies of our Entry of Appearance.

Copies have been served in accordance with the attached Certificate of Service.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By


Patricia Armstrong

cc: Certificate of Service

F:\CLIENTS\Utility\PPL Sustainable Energy\AR-00049255\Letters\042804.McNulty.wpd

64

ORIGINAL

Before The
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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PPL Electric Utilities Corporation : Docket No. R-00049255

ENTRY OF APPEARANCE

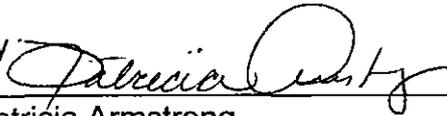
Please enter the appearance of the undersigned as counsel for the Sustainable Energy Fund of Central Eastern Pennsylvania ("SEF") in the above-captioned matter. We hereby request a copy of each document hereafter served by the Commission or any party in this matter.

DOCKETED
JUN 04 2004

Respectfully submitted,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By


Patricia Armstrong
Thomas T. Niesen

Attorneys for the Sustainable Energy Fund of
Central Eastern Pennsylvania

THOMAS, THOMAS, ARMSTRONG & NIESEN
212 Locust Street
P.O. Box 9500
Harrisburg, PA 17108-9500
(717) 255-7600

Dated: April 28, 2004



ORIGINAL

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PPL Electric Utilities Corporation : Docket No. R-00049255

PETITION TO INTERVENE OF
SUSTAINABLE ENERGY FUND OF
CENTRAL EASTERN PENNSYLVANIA

AND NOW, comes Sustainable Energy Fund of Central Eastern Pennsylvania ("SEF"), by its attorneys, and, pursuant to 52 Pa. Code §5.71, *et seq.*, petitions to intervene in the above-captioned proceeding. In support of its intervention, SEF represents as follows:

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JUN 04 2004

I. **BACKGROUND**

1. This proceeding concerns PPL Electric Utilities Corporation's ("PPL") Supplement No. 38 to Tariff Electric-Pa. P.U.C. No. 201 issued March 29, 2004 ("Supplement No. 38"). Supplement No. 38 proposes an increase in PPL's distribution rates of \$164 million and an extension of the existing Sustainable Energy Fund Rider.

2. SEF is a Pennsylvania non-stock, non-profit corporation and an exempt organization under Section 501(c)(3) of the Internal Revenue Code, 26 U.S.C. §501(c)(3). SEF receives all of its funding through the application of the Sustainable Energy Fund Rider. SEF's address is as follows:

Sustainable Energy Fund of Central Eastern PA
609 Hamilton Street
Allentown, PA 18101

DOCUMENT
FOLDER

3. The names and addresses of SEF's attorneys are:

Patricia Armstrong, Esquire
Thomas T. Niesen, Esquire
THOMAS, THOMAS, ARMSTRONG & NIESEN
212 Locust Street, Suite 500
P.O. Box 9500
Harrisburg, PA 17108-9500

4. SEF's attorneys are authorized to receive service on behalf of SEF and simultaneously with the filing of this Petition to Intervene have filed a separate entry of appearance. A copy of all correspondence, discovery, Commission notices and Orders and any other documents filed in this proceeding should be served upon SEF's attorneys.

II. THE COMMISSION'S REGULATIONS

5. Section 5.72 of the Commission's Rules and Regulations, 52 Pa. Code §5.72, provides as follows:

§ 5.72. Eligibility to intervene.

(a) *Persons.* A petition to intervene may be filed by a person claiming a right to intervene or an interest of such nature that intervention is necessary or appropriate to the administration of the statute under which the proceeding is brought. The right or interest may be one of the following:

- (1) A right conferred by statute of the United States or of the Commonwealth.
- (2) An interest which may be directly affected and which is not adequately represented by existing participants, and as to which the petitioner may be bound by the action of the Commission in the proceeding.
- (3) Another interest of such nature that participation of the petitioner may be in the public interest.

6. Section 5.73 of the Commission's Rules and Regulations identifies the form and content for petitions to intervene:

5.73. Form and content of petitions to intervene.

(a) Petitions to intervene shall set out clearly and concisely the facts from which the nature of the alleged right or interest of the petitioner can be determined, the grounds of the proposed

intervention, and the position of the petitioner in the proceeding, so as fully and completely to advise the participants and the Commission as to the specific issues of fact or law to be raised or controverted.

III. SEF'S INTERESTS IN THIS PROCEEDING

7. SEF was established pursuant to the terms of the Joint Settlement of PPL's Restructuring Proceeding approved by Commission Order entered August 27, 1998, at Pa PUC Docket No. R-00973954. SEF's mission is to promote, research, and invest in clean and renewable energy technologies, energy conservation, energy efficiency, and sustainable energy enterprises that provide opportunities and benefits for PPL ratepayers.

8. SEF receives all of its funding through the application of the Sustainable Energy Fund Rider. As explained at Second Revised Page No. 19K of PPL's presently effective Tariff No. 201, the Sustainable Energy Fund Rider of 0.01 cents per KWH is scheduled to expire on December 31, 2004.

9. In accordance with its mission, SEF is involved in *inter alia*:

- wind power development;
- significant growth in leadership in energy and environmental design;
- energy electric technologies;
- community economic development; and
- sustainable energy education.

10. PPL has proposed in its Supplement No. 38, Third Revised Page No. 19K, to continue the Sustainable Energy Fund Rider at the current rate of 0.01 cents per KWH until not later than December 31, 2009. SEF's interest lies in the continuation of an adequate funding stream.

IV. GROUNDS FOR INTERVENTION

11. PPL's Supplement No. 38 and the proposed continuation of the Sustainable Energy Fund Rider is a matter directly related to SEF's underlying existence, accomplishment of its mission and scope of its services. The outcome of this proceeding has the potential to alter and permanently impact SEF's ability to continue *its mission in the PPL service territory.*

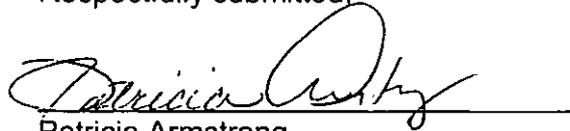
12. SEF's intervention is necessary to ensure the development of a complete record on the reasonableness of PPL's Supplement No. 38 and the proposed continuation of the Sustainable Energy Fund Rider, and any other parties' proposals relative thereto, as those proposals may impact SEF as well as SEF's accomplishments to date and future needs. As the entity engaged in the promotion of clean energy in accordance with the PPL Restructuring Settlement, SEF has a unique perspective which is not otherwise represented by any other party to the proceeding and which should be considered by this Commission.

V. POSITION OF SEF

13. SEF's will support the continuation of an adequate funding stream for the promotion of renewable and clean energy.

WHEREFORE the Sustainable Energy Fund of Central Eastern Pennsylvania
prays that the Pennsylvania Public Utility Commission grant this Petition to Intervene.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Patricia Armstrong", written over a horizontal line.

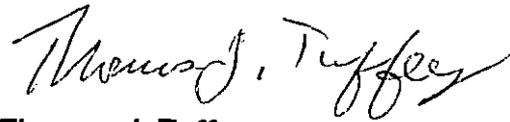
Patricia Armstrong
Thomas T. Niesen
THOMAS, THOMAS, ARMSTRONG & NIESEN
212 Locust Street, Suite 500
P.O. Box 9500
Harrisburg, PA 17108-9500

Attorneys for
Sustainable Energy Fund of
Central Eastern Pennsylvania

DATED: April 28, 2004
Petition to Intervene.wpd

VERIFICATION

I, Thomas J. Tuffey, Executive Director, Sustainable Energy Fund of Central Eastern Pennsylvania, hereby state that the facts set forth in the foregoing Petition to Intervene are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

A handwritten signature in cursive script that reads "Thomas J. Tuffey".

**Thomas J. Tuffey
Executive Director**

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PPL Electric Utilities Corporation : Docket No. R-00049255

CERTIFICATE OF SERVICE

I hereby certify that I have this 28th day of April, 2004, served a true and correct copy of the foregoing Petition to Intervene of the Sustainable Energy Fund of Central Eastern Pennsylvania and Entry of Appearance on behalf of Sustainable Energy Fund of Central Eastern Pennsylvania upon the persons and in the manner listed below:

FIRST CLASS MAIL, POSTAGE PREPAID

Paul E. Russell
Associate General Counsel
PPL
2 North 9th Street
Allentown, PA 18101-1179

Scott J. Rubin, Esquire
3 Lost Creek Drive
Selinsgrove, PA 17870

David MacGregor, Esquire
Morgan Lewis & Bockius, LLP
1701 Market Street
Philadelphia, PA 19103-2921

Michael W. Gang, Esquire
Morgan Lewis & Bockius, LLP
417 Walnut Street
Harrisburg, PA 17101-1904

Joseph L. Vullo, Esquire
1460 Wyoming Avenue
Forty Fort, PA 18704-4237

Kent D. Murphy, Esquire
Exelon Business Services Company
2301 Market Street
S23-1 PO Box 8699
Philadelphia, PA 19101-8699

PA. P.U.C.
SECRETARY'S BUREAU

2004 APR 28 PM 3:57

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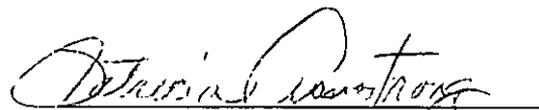
David A. McCormick, Esquire
U.S. Army Legal Services Agency
901 North Stuart Street
Room 713
Arlington, VA 22203-1837

Steven C. Gray
William R. Lloyd, Jr.
OSBA
Suite 1102 Commerce Building
300 North Second Street
Harrisburg, PA 17101

Irwin A. Popowsky
OCA
555 Walnut Street 5th Floor Forum
Place
Harrisburg, PA 17101-1923

P. Polacek, Esquire
D. Kleppinger, Esquire
K. Miller, Esquire
McNees Wallace & Nurick, LLC
100 Pine Street
PO Box 1166
Harrisburg, PA 17108-1166

Robert D. Knecht
Industrial Economics Incorporated
2067 Massachusetts Avenue
Cambridge, MA 02140


Patricia Armstrong



McNees Wallace & Nurick LLC
attorneys at law

PAMELA C. POLACEK
DIRECT DIAL: (717) 237-5368
E-MAIL ADDRESS: PPOLACEK@MWN.COM

April 29, 2004

Paul E. Russell, Esquire
Associate General Counsel
PPL Electric Utilities Corporation
Two North Ninth Street
Allentown, PA 18101-1179

VIA E-MAIL AND FIRST CLASS MAIL

DOCUMENT
FOLDER

**RE: Pennsylvania Public Utility Commission v. PPL Electric Utilities Corporation;
Docket No. R-00049255**

Dear Mr. Russell:

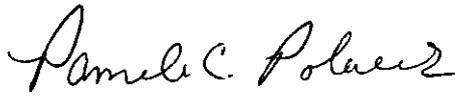
Please find enclosed two (2) copies of PP&L Industrial Customer Alliances' ("PPLICA") Interrogatories, Set I, to PPL Electric Utilities Corporation in the above-referenced proceeding.

Please endeavor to forward responses in an organized manner as they are completed; it is not necessary to await completion of all responses prior to forwarding those completed more quickly. Please forward one set of responses (including all attachments) to our office and one set of responses (including all attachments) to Mr. Stephen Baron of J. Kennedy & Associates, Inc.

Please communicate any objections or questions that you may have to these interrogatories as quickly as possible. Thank you for your attention to this matter.

Very truly yours,

McNEES WALLACE & NURICK LLC

By 
Pamela C. Polacek

Counsel to the PP&L Industrial Customer Alliance

PCP/mp

Enclosures

c: James J. McNulty, Secretary (transmittal letter only)
Joseph M. Kleha (via e-mail only)
Certificate of Service

RECEIVED
2004 APR 29 PM 4:30
PA PUL
SECRETARY'S BUREAU

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a true copy of the foregoing document upon the participants listed below in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service by a participant).

VIA FIRST CLASS MAIL

Steven C. Gray, Esq.
Office of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17101

David A. McCormick, Esq.
The Department of Defense and Federal
Executive Agencies
Regulatory Law Office
U.S. Army Legal Services Agency
Department of the Army (DAJA-RL 4120)
901 North Stuart Street, Room 713
Arlington, VA 22203-1837

Tanya J. McCloskey, Esq.
James A. Mullins, Esq.
Lori A. Herman, Esq.
Aron J. Beatty, Esq.
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

David B. MacGregor, Esq.
Morgan, Lewis & Bockius LLP
1701 Market Street
Philadelphia, PA 19103-2921

Michael W. Gang, Esq.
John H. Isom, Esq.
Morgan, Lewis & Bockius LLP
One Commerce Square
417 Walnut Street
Harrisburg, PA 17101-1904

Richard A. Kanaskie, Esq.
Office of Trial Staff
Pennsylvania Public Utility Commission
400 North Street, 2nd Floor West
P.O. Box 3265
Harrisburg, PA 17105-3265

Eric Joseph Epstein
4100 Hillside Road
Harrisburg, PA 17112

Scott J. Rubin, Esq.
3 Lost Creek Drive
Selinsgrove, PA 17870-9357

Honorable Allison K. Turner
Administrative Law Judge
Pennsylvania Public Utility Commission
1302 Philadelphia State Office Building
1400 West Spring Garden Street
Philadelphia, PA 19130

RECEIVED
2004 APR 29 PM 4:01
PA PUBLIC
SECRETARY'S BUREAU

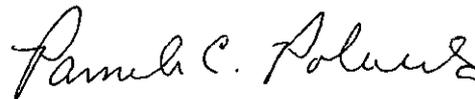
Joseph L. Vullo, Esq.
1460 Wyoming Avenue
Forty Fort, PA 18704-4224

Mr. Eugene M. Brady
Commission on Economic Opportunity
165 Amber Lane
P.O. Box 1127
Wilkes-Barre, PA 18703

Patricia Armstrong
Thomas T. Niesen
Thomas, Thomas, Armstrong & Niesen
212 Locust Street
P.O. Box 9500
Harrisburg, PA 17108-9500

Stephen J. Baron, President
J. Kennedy and Associates, Inc.
570 Colonial Park Drive, Suite 305
Roswell, GA 30075-3770

Mr. Robert D. Knecht
Industrial Economics Incorporated
2067 Massachusetts Avenue
Cambridge, MA 02140



Pamela C. Polacek

Counsel to the PP&L Industrial
Customer Alliance

Dated this 29th day of April, 2004, at Harrisburg, Pennsylvania.

212 Locust Street, Suite 300, Harrisburg, Pennsylvania 17101
Tel: (717) 237-7160 ■ Fax: (717) 237-7161 ■ www.WolfBlock.com

Kevin J. Moody
Direct Dial: (717) 237-7187
Direct Fax: (717) 237-2767
E-mail: kmoody@wolfblock.com

ORIGINAL

April 30, 2004

James McNulty, Secretary
PA Public Utility Commission
Commonwealth Keystone Bldg., 2nd
Floor, 400 North Street P.O. Box 3265
Harrisburg, PA 17105-3265

DOCUMENT

RECEIVED
2004 APR 30 PM 4:10
PA PUC
SECRETARY'S BUREAU

Re: Pennsylvania Public Utility Commission v. PPL Electric
Utilities Corp. ; Docket No. R-00049255

Dear Secretary McNulty:

Enclosed for filing are the original and three copies of the Mid Atlantic Power Supply Association's Petition to Intervene in the above-referenced matter. As evidenced by the attached Certificate of Service, all parties of record have been served in the manner indicated.

If you have any questions regarding this filing, please contact me at your convenience.

Sincerely,



Kevin J. Moody

For WOLF, BLOCK, SCHORR and SOLIS-COHEN LLP

KJM/jls
Enclosures

cc: Certificate of Service (w/enc)

DSH:40828.1/MID051-158776

274

ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY
COMMISSION

V.

PPL ELECTRIC UTILITIES CORP.

:
:
:
:
:

DOCKET NO. R-00049255

PETITION TO INTERVENE
OF MID-ATLANTIC POWER SUPPLY ASSOCIATION

Pursuant to 52 Pa. Code §§ 5.71-5.75, the Mid-Atlantic Power Supply Association ("MAPSA") hereby petitions to intervene in the above-captioned proceeding and, in support hereof, states as follows:

1. MAPSA is a trade association of power marketers, independent power producers, and a broad range of companies within the Mid-Atlantic marketplace, each of whom support the electric services industry and seek to develop a more competitive power industry. MAPSA members are licensed to sell electric energy in the markets of Pennsylvania's major electric distribution companies ("EDCs"), including the service territory of PPL Electric Utilities Corp.

("PPL").¹

2. MAPSA's representatives are:

Tracy McCormick
Executive Director
MAPSA
PO Box 6089
Harrisburg, PA 17112
tmccormickcis@comcast.net

Richard Rathvon, President
MAPSA
c/o Reliant Energy Solutions
379 Thornall Street, 5th Floor
Edison (Metro Park), NJ 08837
rrathvon@reliant.com

DOCUMENT

SECRETARY'S BUREAU
2004 APR 30 PM 4:10

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¹ MAPSA's Board of Directors includes representatives of Amerada Hess Corporation; Centrica/Direct Energy; Green Mountain Energy Company; Reliant Energy Solutions; and Strategic Energy L.L.C. The opinions expressed in this filing may not represent the views of all members of MAPSA.

DOCKETED
MAY 13 2004

2. MAPSA's attorneys are:

Daniel Clearfield, Esquire
Kevin J. Moody, Esquire
Wolf, Block, Schorr & Solis-Cohen LLP
212 Locust Street, Suite 300
Harrisburg, PA 17036
(717) 237-7160
DClearfield@wolfblock.com
KMoody@wolfblock.com

3. On March 29, 2004, PPL filed a tariff supplement requesting a \$164 million increase in distribution rates which would become effective after the cap on PPL's distribution rates established by its 1998 restructuring settlement expires on December 31, 2004. (The settlement also capped PPL's generation rates through the end of 2009.) This is the first distribution rate increase sought by PPL since 1995, and the first by a major EDC since the Electric Choice Act became effective in 1997.

4. The standard for eligibility to intervene is set forth in 52 Pa. Code § 5.72:

A petition to intervene may be filed by a person claiming a right to intervene or an interest of such nature that intervention is necessary or appropriate to the administration of the statute under which the proceeding is brought. The right or interest may be one of the following:

- (1) A right conferred by statute of the United States or the Commonwealth.
- (2) An interest which may be directly affected and which is not adequately represented by existing participants, and as to which the petitioner may be bound by the action of the Commission in the proceeding.
- (3) Another interest of such nature that participation of the petitioner may be in the public interest.

52 Pa. Code § 5.72(a).

5. MAPSA meets the standard set forth in 52 Pa. Code § 5.72(a). As an organization whose members include competitive generation suppliers licensed to do business in PPL's

service territory, MAPSA has an interest that may be directly affected by this proceeding. The ability of MAPSA's members to compete fairly with the incumbent utility in its service territory will be specifically and substantially affected by the outcome of this proceeding. In order for competitive suppliers to compete with PPL on a level playing field, it is crucial that all of PPL's generation related costs be excluded from PPL's distribution costs so that shopping customers do not pay for generation related costs twice – once in PPL's distribution rates and again in the prices of competitive suppliers. MAPSA is also interested in exploring ways in which PPL's installation of automated meters may be used to support development of the competitive market. As the OCA's shopping statistics show, the number of customers and percentage of load being served by competitive energy suppliers in PPL's service territory have declined from their highest levels in April 2000 (about 4% of customers and 26% of load) and have leveled off from July 2001 through April 2004 to about 0.3-0.4% of customers and 3-5% of load.² These statistics emphasize the need for the Commission to do everything it can to make the development of a competitive retail generation market in PPL's territory a reality rather than merely a hope.

6. MAPSA's interest in this proceeding is unique from and not adequately represented by other parties that have sought to intervene, none of which are competitive suppliers or marketers of electric generation.

7. In addition, MAPSA will be bound by the action of the Commission in this proceeding, which will determine to what extent shopping customers will pay only PPL's distribution costs (and not generation related costs) in PPL's distribution rates.

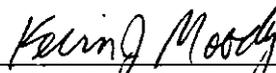
² See, <http://www.oca.state.pa.us/cinfo/instat.htm>.

8. MAPSA's intervention is in the public interest. MAPSA will contribute the unique perspectives and insights of its members to the proper and complete presentation of the issues that will be addressed in this proceeding.

9. MAPSA's petition is timely and will not delay the adjudication of this proceeding.

WHEREFORE, the Mid-Atlantic Power Supply Association respectfully requests this Commission to grant this Petition to Intervene.

Respectfully submitted,



Kevin J. Moody, Esquire
Wolf, Block, Schorr & Solis-Cohen LLP
212 Locust Street, Suite 300
Harrisburg, PA 17101
(717) 237-7160

Attorneys for Mid-Atlantic Power Supply
Association

Date: April 30, 2004

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY :
COMMISSION :
V. :
PPL ELECTRIC UTILITIES CORP. :

DOCKET NO. R-00049255

ORIGINAL RECEIVED
APR 30 PM 4:10
SECRETARY'S BUREAU

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing documents upon the participants, listed below, in accordance with the requirements of § 1.54 (relating to service by a participant).

VIA FIRST CLASS MAIL

Paul E. Russell, Assoc. General Counsel
PPL
Two North Ninth Street
Allentown, PA 18101-1179

Scott J. Rubin, Esquire
International Brotherhood of Electric
Workers
Three Lost Creek Drive
Selinsgrove, PA 17870

David MacGregor, Esquire
Morgan, Lewis & Bockius LLP
1701 Market Street
Philadelphia, PA 19103-2921

Michael W. Gang, Esquire
Morgan, Lewis & Bockius LLP
417 Walnut Street
Harrisburg, PA 17101-1904

Joseph L. Vullo, Esquire
Commission on Economic Opportunity
1460 Wyoming Avenue
Forty Fort, PA 18704-4237

Kent D. Murphy, Esquire
Exelon Business Services Co.
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699

David A. McCormick, Esquire
Department of the Army
U.S. Army Legal Services Agency
901 North Stuart Street, Room 713
Arlington, VA 22203-1837

Pamela Polacek, Esquire
David Kleppinger, Esquire
McNees Wallace & Nurick LLC
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166

Steven C. Gray, Esquire
William R. Lloyd, Jr., Esquire
Office of Small Business Advocate
Suite 1102, Commerce Bldg.
300 North Second Street
Harrisburg, PA 17101

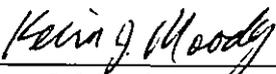
Robert D. Knecht
Industrial Economics Inc.
2067 Massachusetts Avenue
Cambridge MA 02140

Tanya McCloskey, Esquire
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

Richard Rathvon, President
MAPSA
c/o Reliant Energy Solutions
379 Thornall Street, 5th Floor
Edison (Metro Park), NJ 08837

Tracy McCormick
Executive Director
MAPSA
PO Box 6089
Harrisburg, PA 17112

Date: April 30, 2004



Kevin J. Moody, Esquire



Paul Russell
Associate General Counsel

PPL
Two North Ninth Street
Allentown, PA 18101-1179
Tel. 610.774.4254 Fax 610.774.6726
perussell@pplweb.com



April 30, 2004

FEDERAL EXPRESS

James J. McNulty, Esquire
Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, Pennsylvania 17120

RECEIVED

APR 30 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**DOCUMENT
FOLDER**

**Re: PPL Electric Utilities Corporation
Supplement No. 38 to Tariff -
Electric Pa. P.U.C. No. 201
Docket No. R-00049255**

Dear Mr. McNulty:

Attached for filing, pursuant to the Commission's regulations, 52 Pa. Code § 5.342(d), is a Certificate of Service identifying responses to interrogatories that PPL Electric Utilities Corporation served today on the active participants in this proceeding.

If you have any questions regarding these responses, please call.

Very truly yours,

Paul E. Russell

Attachment

cc: The Honorable Allison K. Turner

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PPL Electric Utilities Corporation
Supplement No. 38 to Tariff – Electric
Pa. P.U.C. No. 201

Docket No. R-00049255

DOCUMENT
FOLDER

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APR 30 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

DOCKETED
JUN 29 2004

CERTIFICATION OF SERVICE

I hereby certify that I have this day served a true copy of the responses of PPL Electric Utilities Corporation to Interrogatories of the Office of Trial Staff, Set 4, Questions OTS-RE-34 through OTS-RE-54 upon the participant(s) listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

VIA FEDERAL EXPRESS

Irwin A. Popowsky, Esquire
James A. Mullins, Esquire
Office Of Consumer Advocate
555 Walnut Street
5th Floor Forum Place
Harrisburg, PA 17101-1923

William Lloyd, Esquire
Steven C. Grey, Esquire
Office Of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17101

Johnnie Simms, Esquire
Richard A. Kanaskie, Esquire
Office Of Trial Staff
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 3rd Floor West
Harrisburg, PA 17120

David M. Kleppinger, Esquire
Pamela Polacek, Esquire
McNees, Wallace & Nurick
100 Pine Street
Harrisburg, PA 17108

David A. McCormick, Esquire
Regulatory Law Office (JALS-RL)
US Army Legal Services Agency
901 North Stuart Street, Room 713
Arlington, VA 22203-1837

Scott Rubin, Esquire
3 Lost Creek Drive
Selinsgrove, PA 17870-9357

Joseph L. Vullo, Esquire
Attorney At Law
1460 Wyoming Avenue
Forty Fort, PA 18704-4237

Mr. Robert D. Knecht
Industrial Economics Incorporated
2067 Massachusetts Avenue
Cambridge, MA 02140

Thomas Caitlin
Exeter Associates
5565 Sterrett Place
Suite 310
Columbia, MD 21044

Stephen J. Baron, President
J. Kennedy and Associates, Inc.
570 Colonial Park Drive
Suite 305
Roswell, GA 30075

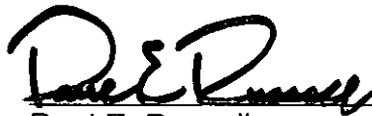
Eric Epstein
4100 Hillside Drive
Harrisburg, PA 17112

Eugene M. Brady
Commission on Economic Opportunity
165 Amber Lane
Wilkes-Barre, PA 18703-1127

Kent Murphy, Esquire
Legal Division
Exelon Business Services Company
2301 Market Street/23-1
Philadelphia, PA 19103

Patricia Armstrong
Thomas, Thomas, Armstrong & Niesen
Suite 500
212 Locust Street
Harrisburg, PA 17108

Dated: April 30, 2004



Paul E. Russell

Paul E. Russell
Associate General Counsel

PPL
Two North Ninth Street
Allentown, PA 18101-1179
Tel. 610.774.4254 Fax 610.774.6726
perussell@pplweb.com



ORIGINAL
May 3, 2004

FEDERAL EXPRESS

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MAY 03 2004

James J. McNulty, Esquire
Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, Pennsylvania 17120

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Re: **PPL Electric Utilities Corporation**
Supplement No. 38 to Tariff -
Electric Pa. P.U.C. No. 201
Docket No. R-00049255

DOCUMENT

Dear Mr. McNulty:

Attached for filing, pursuant to the Commission's regulations, 52 Pa. Code § 5.342(d), is a Certificate of Service identifying responses to interrogatories that PPL Electric Utilities Corporation served today on the active participants in this proceeding.

If you have any questions regarding these responses, please call.

Very truly yours,

Paul E. Russell

Attachment

cc: The Honorable Allison K. Turner

RECEIVED

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MAY 03 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

PPL Electric Utilities Corporation :
Supplement No. 38 to Tariff – Electric : Docket No. R-00049255
Pa. P.U.C. No. 201 :

CERTIFICATION OF SERVICE

I hereby certify that I have this day served a true copy of the responses of PPL Electric Utilities Corporation to Interrogatories of the Office of Small Business Advocate, Set V, Questions 1 through 18, upon the participant(s) listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

VIA FEDERAL EXPRESS

Irwin A. Popowsky, Esquire
James A. Mullins, Esquire
Office Of Consumer Advocate
555 Walnut Street
5th Floor Forum Place
Harrisburg, PA 17101-1923

William Lloyd, Esquire
Steven C. Grey, Esquire
Office Of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17101

Johnnie Simms, Esquire
Richard A. Kanaskie, Esquire
Office Of Trial Staff
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 3rd Floor West
Harrisburg, PA 17120

David M. Kleppinger, Esquire
Pamela Polacek, Esquire
McNees, Wallace & Nurick
100 Pine Street
Harrisburg, PA 17108

David A. McCormick, Esquire
Regulatory Law Office (JALS-RL)
US Army Legal Services Agency
901 North Stuart Street, Room 713
Arlington, VA 22203-1837

Scott Rubin, Esquire
3 Lost Creek Drive
Selinsgrove, PA 17870-9357

Joseph L. Vullo, Esquire
Attorney At Law
1460 Wyoming Avenue
Forty Fort, PA 18704-4237

Mr. Robert D. Knecht
Industrial Economics Incorporated
2067 Massachusetts Avenue
Cambridge, MA 02140

Thomas Caitlin
Exeter Associates
5565 Sterrett Place
Suite 310
Columbia, MD 21044

Dated: May 3, 2004

Stephen J. Baron, President
J. Kennedy and Associates, Inc.
570 Colonial Park Drive
Suite 305
Roswell, GA 30075

Eric Epstein
4100 Hillside Drive
Harrisburg, PA 17112

Eugene M. Brady
Commission on Economic Opportunity
165 Amber Lane
Wilkes-Barre, PA 18703-1127

Kent Murphy, Esquire
Legal Division
Exelon Business Services Company
2301 Market Street/23-1
Philadelphia, PA 19103

Patricia Armstrong
Thomas, Thomas, Armstrong & Niesen
Suite 500
212 Locust Street
Harrisburg, PA 17108


Paul E. Russell



Allegheny Energy

800 Cabin Hill Drive
Greensburg, PA 15601-1689
Phone: (724) 837-3000
FAX: (724) 838-6177

Writer's Direct Dial No. (724) 838-6210

E-mail: jmunsch@alleghenyenergy.com

May 7, 2004

LEGAL SERVICES

DOCUMENT ORIGINAL

VIA UPS EXPRESS DELIVERY

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

**Re: PPL Electric Utilities Corporation; General Base Rate Proceeding;
Docket No. R-00049255**

Dear Secretary McNulty:

Enclosed for filing with the Pennsylvania Public Utility Commission, please find an original and three (3) copies of a **Petition to Intervene of Allegheny Power** in the above-captioned matter.

This Petition is filed by United Parcel Service Express and is deemed filed today, May 7, 2004.

Very truly yours,

John L. Munsch
John L. Munsch
Senior Attorney

Enclosures

cc: Certificate of Service

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MAY 07 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

62

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

PPL Electric Utilities Corporation

:

Docket No. R-00049255

DOCKETED

MAY 13 2004

**PETITION TO INTERVENE
OF ALLEGHENY POWER**

RECEIVED

MAY 07 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Now comes West Penn Power Company dba Allegheny Power and respectfully requests pursuant to §5.71 through §5.76 of the Rules and Regulations of the Pennsylvania Public Utility Commission (Commission), 52 Pa. Code §5.71 through §5.76, that the Commission grant the Petition of Allegheny Power to Intervene in the above-captioned proceeding. In support of its Petition to Intervene, Allegheny Power submits as follows:

1. West Penn Power Company is a Pennsylvania corporation that transacts business under the trade name of "Allegheny Power" and is referred to in this Petition as "Allegheny Power." Allegheny Power is a public utility and electric distribution company regulated in part by the Commission. Allegheny Power has its principle place of business at 800 Cabin Hill Drive, Greensburg, PA 15601. Allegheny Power provides electric distribution service to approximately 650,000 customers in all or parts of 23 counties in the Commonwealth.

DOCUMENT

2. The attorney for Allegheny Power in the proceeding will be:

John L. Munsch
Allegheny Power
800 Cabin Hill Drive
Greensburg, PA 15601
724-838-6210
724-838-6177 (Fax)
jmunsch@alleghenyenergy.com

3. On March 29, 2004, PPL filed a request for a general base rate increase proposed to become effective June 1, 2004, to increase its rates by approximately 8.14 percent. The proposed changes in PPL's Supplement No. 38 include both rule changes and rate changes.

Interest of Allegheny Power in PPL Proceeding

4. Allegheny Power is a retail customer of PPL at several different locations and takes electric service from PPL under PPL's Rate Schedule BL. PPL proposes to increase its rates under Rate Schedule BL by approximately 9.94 percent. Allegheny Power has a right to intervene because, as a retail customer of PPL, Allegheny Power has a interest in the proceeding not represented by another participant and Allegheny Power may be bound by the action of the Commission in this proceeding.

5. The general base rate increase sought by PPL is the first or most significant general base rate case presented to the Commission by an electric utility since the establishment of distribution rate caps upon Pennsylvania's electric distribution utilities by the Electricity Generation Customer Choice and Competition Act. 66 Pa. C.S. §2801 et seq. As such, the course of the proceeding and its outcome could provide important groundwork or template for

future rate proceedings before the Commission. As an electric distribution company subject to the same laws and regulations as PPL, and similarly regulated by the Commission, Allegheny Power has an interest in the proceeding not represented by any other party and Allegheny Power's intervention may be in the public interest.

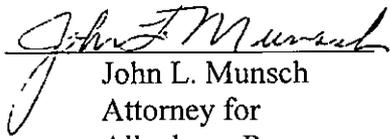
6. The general base rate increase sought by PPL includes or could result in tariff rule changes that could affect provision of electric service for other electric distribution companies in Pennsylvania. PPL's filing recognizes that it will affect restructuring of the electric industry in Pennsylvania and that the proceeding will be followed closely by all stakeholders in Pennsylvania. PPL Statement No. 1, p. 11.

7. Allegheny Power's interests may be directly affected because PPL is a transmission-owning entity and member of PJM. Allegheny Power is a transmission-owning entity and member of PJM West and procures energy and ancillary services in PJM markets.

8. Allegheny Power's direct and substantial interests in PPL's proceeding are not represented by another participant in the proceeding.

WHEREFORE, Allegheny Power respectfully requests that the Presiding Officer or the Pennsylvania Public Utility Commission grant Allegheny Power's Petition to Intervene in this proceeding.

Date: May 7, 2004

By: 
John L. Munsch
Attorney for
Allegheny Power
800 Cabin Hill Drive
Greensburg, PA 15601
724-838-6210

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MAY 07 2004

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

PPL Electric Utilities Corporation

:

Docket No. R-00049255

CERTIFICATE OF SERVICE

I hereby certify that on the 7th day of May 2004, a true and correct copy of the **Petition to Intervene of Allegheny Power** will be served via first-class mail, postage prepaid, upon the following:

Secretary
PPL Electric Utilities Corporation
Two North Ninth Street
Allentown, PA 18101-1179

David P. MacGregor, Esquire
Morgan, Lewis & Bockius
200 One Logan Square
Philadelphia, PA 19103-6993

Paul E. Russell, Esquire
PPL Electric Utilities Corporation
Two North Ninth Street
Allentown, PA 18101-1179

Office of Administrative Law Judge
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120


John L. Munsch
Attorney for
ALLEGHENY POWER



Paul Russell
Associate General Counsel

PPL
Two North Ninth Street
Allentown, PA 18101-1179
Tel. 610.774.4254 Fax 610.774.6726
perussell@pplweb.com



May 7, 2004

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MAY - 7 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

James J. McNulty, Esquire
Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, Pennsylvania 17120

DOCUMENT

**Re: PPL Electric Utilities Corporation
Supplement No. 38 to Tariff -
Electric Pa. P.U.C. No. 201
Docket No. R-00049255**

Dear Mr. McNulty:

Attached for filing, pursuant to the Commission's regulations, 52 Pa. Code § 5.342(d), is a Certificate of Service identifying responses to interrogatories that PPL Electric Utilities Corporation served today on the active participants in this proceeding.

If you have any questions regarding these responses, please call.

Very truly yours,

Paul E. Russell

Attachment

cc: The Honorable Allison K. Turner

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PPL Electric Utilities Corporation :
Supplement No. 38 to Tariff – Electric :
Pa. P.U.C. No. 201 :

Docket No. R-00049255

RECEIVED

MAY - 7 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

CERTIFICATION OF SERVICE

I hereby certify that I have this day served a true copy of the responses of PPL Electric Utilities Corporation to Interrogatories of the Office of Trial Staff, Set 5, Questions OTS-RE-55 through OTS-RE-83 and Set 6, Questions OTS-RR-1 through OTS-RR-16, upon the participant(s) listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

VIA FEDERAL EXPRESS

Irwin A. Popowsky, Esquire
James A. Mullins, Esquire
Office Of Consumer Advocate
555 Walnut Street
5th Floor Forum Place
Harrisburg, PA 17101-1923

William Lloyd, Esquire
Steven C. Grey, Esquire
Office Of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17101

Johnnie Simms, Esquire
Richard A. Kanaskie, Esquire
Office Of Trial Staff
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 3rd Floor West
Harrisburg, PA 17120

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McNees, Wallace & Nurick
100 Pine Street
Harrisburg, PA 17108

David A. McCormick, Esquire
Regulatory Law Office (JALS-RL)
US Army Legal Services Agency
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3 Lost Creek Drive
Selinsgrove, PA 17870-9357

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Attorney At Law
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Mr. Robert D. Knecht
Industrial Economics Incorporated
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Exeter Associates
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Wolf, Block, Schorr and Solis-Cohen LLP
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Harrisburg, PA 17101

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J. Kennedy and Associates, Inc.
570 Colonial Park Drive
Suite 305
Roswell, GA 30075

Eric Epstein
4100 Hillside Drive
Harrisburg, PA 17112

Eugene M. Brady
Commission on Economic Opportunity
165 Amber Lane
Wilkes-Barre, PA 18703-1127

Kent Murphy, Esquire
Legal Division
Exelon Business Services Company
2301 Market Street/23-1
Philadelphia, PA 19103

Patricia Armstrong
Thomas, Thomas, Armstrong & Niesen
Suite 500
212 Locust Street
Harrisburg, PA 17108

Dated: May 7, 2004



Paul E. Russell



Sustainable
Development Fund

May 10, 2004

James McNulty, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Subject: **Petition to Intervene of the Sustainable Development Fund
Docket No. R-00049255**

Dear Secretary McNulty:

Enclosed please find the original and three copies of the Petition to Intervene of the Sustainable Development Fund to be filed in the above-captioned matter.

An extra copy, along with a self-addressed, postage-paid envelop is enclosed for purposes of returning a file-stamped copy to me.

Any questions related to the Sustainable Development Fund's Petition to Intervene may be directed to me at 215.574.5814.

Sincerely,

Roger E. Clark, Esq.

direct phone: 215.574.5814
direct fax: 215.574.5914
email: roger.clark@trfund.com

DOCUMENT
FOLDER

SECRETARY'S BUREAU

2004 MAY 12 PM 1:54

RECEIVED

718 Arch Street
Suite 300 North
Philadelphia, PA 19106-1591
tel: 215.574.5800
fax: 215.574.5900
email: sdf@trfund.com
www.trfund.com

Enclosures

Copies: See attached Certificate of Service

56

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission

vs.

PPL Electric Utilities Corporation

:
:
:
:
:

Docket No. R-00049255

PETITION TO INTERVENE
OF THE
SUSTAINABLE DEVELOPMENT FUND

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SECRETARY'S BUREAU

The Sustainable Development Fund ("SDF") respectfully submits this petition to intervene seeking to participate in the above-captioned matter. In specific support of this petition, SDF states as follows:

Background

1. On March 29, 2004, PPL Electric Utilities Corporation ("PPL") filed Supplement No. 38 to its Electric Service Tariff PA. PUC No. 201. PPL proposes a number of tariff changes, including a tariff rule change (the Renewable Energy Development Rider) for the Sustainable Energy Fund of Central Eastern Pennsylvania ("SEFCEP"). PPL describes its filing as the first post-distribution and transmission rate cap general rate filing of a major electric distribution company in Pennsylvania.

2. On May 7, 2004, the Pennsylvania Public Utility Commission to suspend and investigate the PPL rate increase.

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DOCKETED
JUN 18 2004

Request to Intervene

3. Under 52 Pa. Code §5.72(a), a person is eligible for intervention if that person has “an interest which may be directly affected and which is not adequately represented by existing participants, and as to which the petitioner may be bounded by the action of the Commission in the proceeding.”

4. SDF’s direct interest in the outcome of this proceeding has two elements. First, SDF has made and will in the future make joint investments with the SEFCEP in clean energy projects and companies. SDF’s ability to make these joint investments in the future will be influenced by this proceeding.

5. SDF also has a direct interest in the outcome of this proceeding because this is the first opportunity since the restructuring settlements for the Commission to consider the appropriate rate recovery for the sustainable energy funds. While the PPL proceeding is not legally binding on the PECO Energy rate case in 2005, the PPL order in this proceeding will very likely create a template that shapes the rate recovery for the sustainable energy funds in the other utility rate cases, including that of PECO Energy. SDF should be permitted to address the value of the sustainable energy funds in this case of first impression.

6. No other participant can adequately represent the interest of SDF in his proceeding. Even if SEFCEP’s Petition to Intervene is granted and they participate in this proceeding, the interests of SDF are different. For example, SEFCEP may, for strategic reasons, not push for rate recovery above the amount proposed by PPL, whereas SDF may advocate that a higher level of funding is appropriate. There may be other differences in the position of SEFCEP and SDF.

7. SDF has not determined its position on the various aspects of PPL's general rate proposal, but would participate only to the issue of the Sustainable Energy Fund Rider and the related issues of appropriate support for clean energy technologies and projects.

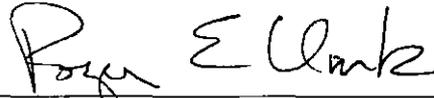
8. SDF will be represented in this proceeding by the following counsel:

Roger E. Clark, Esq.
Sustainable Development Fund
718 Arch Street, Suite 300 North
Philadelphia, PA 19106-1591

phone: 215.574.5814
fax: 215.574.5914
email: roger.clark@trfund.com

WHEREFORE, for all of the foregoing reasons, SDF respectfully requests that the Commissions grant this Petition to Intervene in the above proceeding.

Respectfully submitted,



Roger E. Clark, Esquire

Sustainable Development Fund
718 Arch Street, Suite 300N
Philadelphia, PA 19106-1591

phone: 215.574.5814
fax: 215.574.5914
email: roger.clark@trfund.com

Counsel for SDF

Date May 10, 2004

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

2004 MAY 12 PM 1:54
SECRETARY'S BUREAU

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Pennsylvania Public Utility Commission

vs.

PPL Electric Utilities Corporation

:
:
:
:
:

Docket No. R-00049255

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of Petition to Intervene of PECO Energy Company in the above matter upon all interested parties by mailing a copy thereof by U.S. First Class mail, properly addressed and postage prepaid to:

Paul E. Russell
Associate General Counsel
PPL Electric Utilities Corporation
2 North 9th Street
Allentown, PA 18101-1179

David MacGregor
Morgan Lewis & Bockius
1701 Market Street
Philadelphia, PA 19103-2921

Michael W. Gang
Morgan, Lewis & Bockius
417 Walnut Street
Harrisburg, PA 17101-1904

Scott J. Rubin
Three Lost Creek Drive
Selinsgrove, PA 17870

Joseph L. Vullo
1460 Wyoming Avenue
Forty Fort, PA 18704-4237

Kent D. Murphy
Exelon Business Services Company
P.O. Box 8699
2301 Market Street - S23-1
Philadelphia, PA 19101-8699

David A. McCormick
U.S. Army Legal Services Agency
Room 713
901 North Stuart Street
Arlington, VA 22203-1837

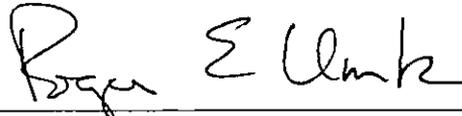
P. Polacek / D. Kleppinger / K. Miller
McNees, Wallace & Nurick
P.O. Box 1166
100 Pine Street
Harrisburg, PA 17108-1166

Steven Gray / William Lloyd Jr.
Office of Small Business Advocate
Commerce Building – Suite 1102
300 North Second Street
Harrisburg, PA 17101

Robert D. Knecht
Industrial Economics Incorporated
2067 Massachusetts Avenue
Cambridge, MA 02140

Irwin Popowsky / Tanya McClosky /
J. Mullins / L. Herman / A. Beatty
Office of Consumer Advocate
Forum Place – Fifth Floor
555 Walnut Street
Harrisburg, PA 17101-1923

Dated at Philadelphia, Pennsylvania, May 10, 2004.

Handwritten signature of Roger E. Clark in black ink.

Roger E. Clark, Esq.

Sustainable Development Fund
718 Arch Street, Suite 300 North
Philadelphia, PA 19106-1591

phone: 215.574.5814

fax: 215.574.5914

email: roger.clark@trfund.com



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Office Of Administrative Law Judge
P.O. Box 3265, Harrisburg, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

May 10, 2004

DOCUMENT

In Re: R-00049255
R-00049255C0001-C0005

«FIRSTNAME» «MIDDLEINITIAL» «LASTNAME» «JOBTITLE»
«COMPANY»
«ADDRESS1»
«ADDRESS2»
«ADDRESS3»
«CITY» «STATE» «POSTALCODE»

DOCKETED

JUN 08 2004

Pennsylvania Public Utility Commission (R-00049255)
U.S. Department of Defense & Federal Executive Agencies (C0001)
PPL Industrial Customer Alliance (C0002)
Office of Small Business Advocate (C0003)
Office of Consumer Advocate (C0004)
Eric Joseph Epstein (C0005)
v.
PPL Electric Utilities Corporation

NOTICE

This is to inform you that an initial pre-hearing conference on the above-captioned case will be held as follows:

Type: Initial Pre-hearing Conference
Date: Wednesday, May 19, 2004
Time: 2:00 p.m.
Location: Hearing Room 3
Plaza Level
Commonwealth Keystone Building
400 North Street
Harrisburg, Pennsylvania

Presiding: Administrative Law Judge Allison K. Turner
1302 Philadelphia State Office Building
1400 West Spring Garden Street
Philadelphia, PA 19130
Telephone: (215) 560-2105
Fax: (215) 560-3133

If you intend to file exhibits, 2 copies of all hearing exhibits to be presented into evidence must be submitted to the reporter. An additional copy must be furnished to the Presiding Officer. A copy must also be provided to each party of record.

Individuals representing themselves do not need to be represented by an attorney. All others (corporation, partnership, association, trust or governmental agency or subdivision) must be represented by an attorney. An attorney representing you should file a Notice of Appearance before the scheduled hearing date.

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission:

- Scheduling Office: 717-787-1399.
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1-800-654-5988.



UGI Utilities, Inc.
460 North Gulph Road
King of Prussia, PA 19406
Post Office Box 858
Valley Forge, PA 19482-0858
(610) 337-1000 Telephone
(610) 992-3259 Fax

May 11, 2004

DOCUMENT

VIA EXPRESS MAIL

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

ORIGINAL

**Re: Pennsylvania Public Utility Commission v. PPL Electric
Utilities Corporation, Docket No. R-00049255**

Dear Secretary McNulty:

Enclosed for filing in the above-captioned matter please find an original and three copies of the Petition to Intervene of UGI Utilities, Inc. Copies of this document have been served upon the persons noted on the Certificate of Service attached to the petition.

Should you have any questions concerning this filing, please feel free to contact me.

Very truly yours,

Mark C. Morrow

Counsel for UGI Utilities, Inc.

RECEIVED

MAY 11 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

58

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

PENNSYLVANIA PUBLIC UTILITY
COMMISSION :

v. :

PPL ELECTRIC UTILITIES
CORPORATION :

Docket No. R-00049255

DOCUMENT

PETITION TO INTERVENE
OF UGI UTILITIES, INC.

DOCKETED
MAY 13 2004

UGI Utilities, Inc. ("UGI"), in accordance with the provisions of 52 Pa.Code §5.74,
hereby petitions to intervene in the above-captioned proceeding, and in support thereof states the
following:

1. UGI is an electric distribution company ("EDC") that provides electric service to approximately 61,000 customers in two northeastern counties in Pennsylvania.
2. UGI is also a natural gas distribution company that provides natural gas distribution service to approximately 292,000 customers in eastern and central Pennsylvania.
3. On or about March 29, 2004, PPL Electric Utilities Corporation ("PPL") filed Supplement No. 38 to its Tariff No. 201 proposing an increase to its base rates effective January 1, 2005.
4. PPL's rate filing is, to UGI's knowledge, the first base rate filing by a large EDC in Pennsylvania since the enactment of the Electric Generation Customer Choice and Competition Act.

RECEIVED

MAY 11 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

5. UGI has a direct interest in this proceeding because:
 - a. Questions of law may arise in this proceeding that may be of general applicability to EDCs in Pennsylvania; and
 - b. UGI's Gas Division receives electric distribution services from PPL for many of its facilities; and
 - c. A significant portion of the service territory of the Gas Division of UGI overlaps portions of the service territory of PPL.
6. The interests of UGI are not adequately represented by any other party to this proceeding.
7. UGI will accept any record that has been developed in this proceeding to date, and will work with all interested parties to develop any appropriate protective orders.
8. UGI does not currently anticipate the need to file discovery requests or testimony in this proceeding, but reserves the right to do so.

WHEREFORE, UGI Utilities, Inc. requests that its Petition to Intervene be granted.

Respectfully submitted,

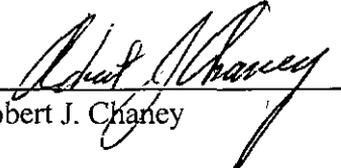


Mark C. Morrow
460 North Gulph Road
King of Prussia, PA 19406
Tel.: (610) 337-1000
Fax.: (610) 992-3258
morrowm@ugicorp.com

Dated: May 11, 2004

AFFIDAVIT

ROBERT J. CHANEY, deposes and says that he is President and Chief Executive Officer for UGI Utilities, Inc.; that he is duly authorized to and does make this Affidavit on its behalf; that the facts set forth in the foregoing document are true and correct to the best of his knowledge information and belief, and that this Affidavit is made subject to the penalties of 18 Pa.C.S. §4904 (relating to unsworn falsification to authorities).


Robert J. Chaney

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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MAY 11 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

PENNSYLVANIA PUBLIC UTILITY :
COMMISSION :

v. :

PPL ELECTRIC UTILITIES :
CORPORATION :

Docket No. R-00049255

CERTIFICATE OF SERVICE

I hereby certify that I have, this 11th day of May, 2004, served a true and correct copy of the Reply Exceptions of UGI Utilities, Inc. – Gas Division in the manner and upon the persons listed below in accordance with requirements of 52 Pa. Code §1.54 (relating to service by a participant):

VIA FIRST CLASS MAIL:

Paul E. Russell, Associate General Counsel
PPL Electric Utilities Corporation
Two North Ninth Street
Allentown, PA 18101-1179

Scott J. Rubin, esq.
Three Lost Creek Drive
Selinsgrove, PA 17870

David MacGregor, Esq.
Morgan, Lewis & Bockius, LLP
1701 Market Street
Philadelphia, PA 19103-2921

Michael W. Gang, Esq.
John H. Isom, Esq.
Morgan, Lewis & Bockius, LLP
417 Walnut Street
Harrisburg, PA 17101-1904

Joesph L. Vullo, Esq.
1460 Wyoming Avenue
Forty Fort, PA 18704-4237

Kent D. Murphy, Esq.
Exelon Business Services Company
2301 market Street S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699

David A. McCormick, Esq.
U.S. Army Legal Services Agency
901 North Stuart Street, Rm. 713
Arlington, VA 22203-1837

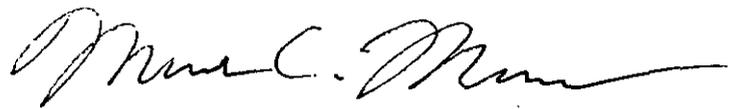
William R. Lloyd, Jr.
Steven C. Gray, Esq.
Office of Small Business Advocate
1102 Commerce Building
300 North Second Street
Harrisburg, PA 17101

Irwin A. Popowsky
Tanya A. McCloskey, Esq.
Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101-1923

Pamela Polacek, Esq.
David Kleppinger, Esq.
Karen Miller, esq.
McNees, Wallace & Nurick, LLC
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166

Robert D. Knecht
Industrial Economics, Inc.
2067 Massachusetts Avenue
Cambridge, MA 02140

Richard A. Kanaskie, Esq.
Pennsylvania Public Utility Commission
Office of Trial Staff
P.O. Box 3265
Harrisburg, PA 17105-3265



Mark C. Morrow



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

IN REPLY PLEASE
REFER TO OUR FILE

May 11, 2004

R-00049255

PAUL E RUSSELL
PPL
TWO NORTH NINTH STREET
ALLENTOWN PA 18101-1179

DOCUMENT

Pennsylvania Public Utility Commission
v.
PPL Electric Utilities Corporation

DOCKETED
JUN 09 2004

Dear Mr. Russell:

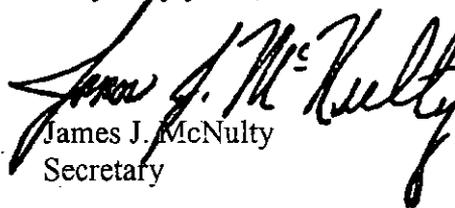
The Commission in a Public Meeting on May 7, 2004, instituted an inquiry and investigation at the above docket to determine the fairness, reasonableness and justness of rates named in Supplement No. 38 to Tariff Electric-Pa. P.U.C. No. 201 filed to become effective June 1, 2004. Under authority of Title 66 Pa. C.S. §1308(d), application of the proposed rates is suspended, by statute, for a period of up to seven months or to January 1, 2005, unless otherwise directed by Order of the Commission.

Under the Public Utility Code, a supplement must be filed with the Commission and posted at the offices of the company to announce that the aforementioned Supplement is suspended until the date stated in the Commission's Order.

Attached is a sample copy of a seven months' suspension supplement which must be filed in triplicate with the Commission as soon as possible.

Copies of the formal order adopted by the Commission will be forwarded to you within the near future.

Very truly yours,


James J. McNulty
Secretary

Attachment

Supplement No. to

Electric-Pa. P.U.C. No.

(COMPANY)

(TERRITORY SERVED BY COMPANY)

The application of rates proposed in Supplement No. _____ to Tariff _____ -Pa. P.U.C. No. _____ filed to become effective _____, is hereby suspended until _____, by operation of law at Docket No. _____. Presently effective rates contained in Tariff _____ -Pa. P.U.C. No. ____ and supplements thereto, will continue in effect until otherwise amended.

Issued:

Issued in compliance with
Title 66 PA C.S. §1308(d)

ORIGINAL

May 13, 2004

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
2nd Floor
Keystone State Office Building
Commonwealth & North St.
Harrisburg, PA 17105-3265

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2004 MAY 13 PM 4:09
P.U.C.
SECRETARY'S BUREAU

**RE: PPL Electric Utilities Corporation
Supplement No. 38 to Tariff
Electric Pa. P.U.C. No. 201
Docket No.: R-00049255**

DOCUMENT

Dear Secretary McNulty:

Enclosed please find an original and three (3) copies of Clean Air Council's Protest and Petition to Intervene in the above-captioned proceeding, commenced by PPL Electric Utilities Corporation on March 29, 2004.

Please time-stamp the extra copy for my files and return it to me in the envelope provided.

Thank you for your effort in this regard.

Sincerely,

Michael Fiorentino /s/ f.l.b.

Michael Fiorentino, Esq.
Attorney for Clean Air Council

Enclosures

cc: Parties of Record
Chief Judge Robert Christianson

60

ORIGINAL

COMMONWEALTH OF PENNSYLVANIA
BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

RE: PPL Electric Utilities Corporation : Docket No. R-00049255
Supplement No. 38 to Tariff -- :
Electric Pa. P.U.C. No. 201 :

DOCUMENT

SECRETARY'S BUREAU

2004 MAY 13 PM 4:09

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Protest and Petition to Intervene
of Clean Air Council

Pursuant to 52 Pa. Code §5.51 and or §5.71, Clean Air Council hereby submits this Petition to the Supplement filing of PPL Electric Utilities Corporation, pursuant to the Public Utility Code, for the increase of retail rates, and requests permission to Intervene in proceedings relating to the Supplement, and in support hereof states as follows:

1. PPL Electric Utilities Corporation ("PPL" or "the Company") is an electric public utility incorporated under the laws of Pennsylvania, with its headquarters in Allentown, Pennsylvania. PPL provides electric service to approximately 1.3 million Pennsylvania customers as an electric distribution company ("EDC"), as that term is defined by 66 Pa.C.S. §2803.
2. Clean Air Council (or "the Council") is a non-profit corporation, organized and existing under the laws of the Commonwealth of Pennsylvania, with its principal place of business in Philadelphia, Pennsylvania. The Council receives support from nearly 7,500 members in Pennsylvania and Delaware for its clean energy environmental advocacy.
3. The name and address of the Protestant and Petitioner is:

Clean Air Council
135 S. 19th St.
Suite 300
Philadelphia, PA 19103

DOCKETED
MAY 17 2004

4. The names and addresses, and telephone numbers of Counsel are:

Michael Fiorentino

Joseph Otis Minott
135 S. 19th St.
Suite 300
Philadelphia, PA 19103
(215)-567-4004

Background:

4. On March 29, 2004, PPL filed the above-captioned Supplement to its Electric Tariff along with a Statement of Reasons and supporting data as required under Commission regulations.
5. According to PPL correspondence to the Commission on that date, as well as direct testimony from the Company's experts, the purpose of the filing is the proposal of a retail distribution rate increase which would yield approximately \$164.4 million and a transmission service rate increase of \$57.2 million.
6. On April 12, 2004, the Office of Consumer Advocate filed before the Commission a formal complaint in this docket, raising numerous concerns about the impact and fairness of the rate increases.
7. PPL indicates that it expects these rate increases, if granted by the Commission, to take effect on January 1, 2005. The increases are timed to coincide with the expiration of the existing transmission and distribution rate cap established by the Commission in its 1998 Order approving the Joint Petition for Settlement of PP&L's Electric Restructuring Plan, at Docket No. R-00973954.
8. Petitioner Clean Air Council was an intervenor in that docket as one of the Environmentalist Parties, and signed on to the Joint Petition for Settlement.

Petitioners' Interests:

9. Members of Clean Air Council live and/or work in PPL service territories and are customers of PPL for transmission and distribution services, and therefore have a direct, substantial and immediate interest in the Tariff Supplement.
10. The Council advocates for a level of air quality which protects human health. The Council avers that the ability to achieve such a level of air quality depends in substantial part upon the profile of the region's electric generation supply. A vibrant competitive market for electric power promotes opportunities for renewable energy generation to grow in PPL territory. A rate increase at the level requested may adversely affect the competitive market so described.

11. As a Joint Signatory to the 1998 Restructuring Settlement, Clean Air Council advocated for the creation of the Sustainable Energy Fund, an entity designed to provide grants, loans, programs, and other incentives that would result in the growth of renewable energy and sustainable energy technologies and practices. The funding for SEF has been established through a .01 cents/kWh charge on the transmission and distribution portion of retail rates. It is averred that a continuing need for the SEF exists and that it should be funded adequately in any rate increase approved consequent to PPL's filing request.
12. PPL proposes to maintain tight limits on participation in residential demand side response tariffs, and seeks to make adjustments to universal service Low Income Usage Reduction Program levels and program offerings that impact the Renewable Energy Pilot established in the 1998 Restructuring Settlement. The Council intends to examine these limits and changes which may prevent its members and residential customers from accessing incentives for conservation and renewable energy applications.

Petitioner's Concerns:

13. The Company is proposing an overall rate increase averaging 9.67% for the residential customer class. The proposal represents not only a rate increase but also a significant modification of rate design.
14. As part of the rate proposal, the residential Customer Charge will nearly double to \$12.20, while the first 200 kWh of usage will come without charge. Such a rate design creates a disincentive for conservation of electric energy consumption, and rewards larger users in the class. An increase in electric energy generation to meet higher demand will result in increased air pollution emissions from the sources of that generation. Residential customers who conserve energy will be saddled with a higher percentage rate increase.
15. Another part of the rate proposal, the Transmission Service Charge, will *inter alia*, create a uniform allocation of transmission charges among customer classes, altering a rate design which currently maintains different rates for them.
16. The proposed Distribution System Improvement Charge represents a substantial departure from traditional sound ratemaking policy for electric utilities, and Petitioners believe an opportunity to examine the impacts of a DSIC more fully is appropriate.
17. Petitioner avers that the proposed tariff changes and proposed rate design, including but not limited to the aspects raised in the preceding paragraphs of this Petition, may be unlawfully discriminatory, unjust and unreasonable, and

otherwise contrary to sound ratemaking principles and public policy. 66 Pa. C.S. §1301, *et seq.*

What Petitioner Would Like the Public Utility Commission to Do:

Clean Air Council respectfully requests that the Public Utility Commission:

- A. Suspend the operation of Supplement No. 25 and schedule full evidentiary hearings to examine the reasonableness of the Company's current rate structure and the proposal for increases in those rates;
- B. Grant the Council's Petition to Intervene in this matter;
- C. Consolidate all Complaints and Interventions regarding Supplement No. 25;
- D. Schedule Public Input Hearings around PPL Service Territory and provide appropriate notice to the public thereof;
- E. Deny any modifications to the Company's rates that the Commission finds to be unjust, unreasonable, unlawfully discriminatory, inconsistent with the Public Utility Code or sound ratemaking principles or contrary to public policy; and
- F. Grant such other relief which the Commission deems appropriate.

Respectfully submitted,

Michael Fiorentino / s / J. Minott

Michael Fiorentino, Esq.
Attorney ID #73576
Joseph Otis Minott, Esq.
Attorney ID #36463
Counsel for Clean Air Council
135 S. 19th St., Suite 300
Philadelphia, PA 19103

Verification:

The information contained in this Petition to Intervene is true and correct to the best of my knowledge. I understand that false statements knowingly made herein are subject to prosecution under Pennsylvania law concerning unsworn falsification to authorities.

Date: 5/13/04

Michael Fiorentino /s/ MFM
Michael Fiorentino
Atty ID# 73576

COMMONWEALTH OF PENNSYLVANIA
BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED
2004 MAY 13 PM 4:09
SECRETARY'S BUREAU

RE: PPL Electric Utilities Corporation : Docket No: R-0004925
Supplement No. 38 to Tariff -- :
Electric Pa. P.U.C. No. 201 :

Certificate of Service

I hereby certify that I have, this day, served a true and correct copy of the foregoing document, Clean Air Council's Petition to Intervene, by first class mail upon the parties of record in this proceeding as listed below, which service is in accordance with the requirements of 52 Pa. Code 1.54 (relating to service by a participant).

Paul E. Russell
Associate General Counsel
PPL Electric Utilities Corporation
Two North Ninth Street
Allentown, PA 18101-1179

Tanya J. McCloskey
Senior Assistant Consumer Advocate
Office of Consumer Advocate
5th Floor, Forum Place
555 Walnut St.
Harrisburg, PA 17101-1923

Richard A. Kanaskie, Esq.
PA Public Utility Commission
Office of Trial Staff
P.O. Box 3265
Harrisburg, PA 17105-3265

William R. Lloyd, Jr., Esq.
Office of Small Business Advocate
Commerce Building – Suite 1102
300 North 2nd Street
Harrisburg, PA 17101

David M. Kleppinger, Esq.
McNees, Wallace & Nurick, LLC
100 Pine St.
P.O. Box 1166
Harrisburg, PA 17108-1166

Dated: 5/13/04

Michael Fiorentino / s/ MFM
Michael Fiorentino

Counsel for:
Clean Air Council
135 S. 19th St.
Suite 300
Philadelphia, PA 19103
(215)-567-4004 x238

Morgan, Lewis & Bockius LLP
One Commerce Square
417 Walnut Street
Harrisburg, PA 17101-1904
Tel: 717.237.4000
Fax: 717.237.4001
www.morganlewis.com

ORIGINAL Morgan Lewis
COUNSELORS AT LAW

DOCUMENT

John H. Isom
717.237.4022
jisom@morganlewis.com

May 13, 2004

VIA HAND DELIVERY

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

**Re: PAPUC v. PPL Electric Utilities
Docket No. R-00049255**

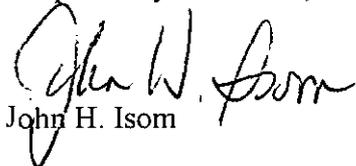
Dear Secretary McNulty:

Enclosed for filing are an original and three (3) copies of the Answer of PPL Electric Utilities Corporation to the "Petition to Intervene of Mid-Atlantic Power Supply Association" in the above-reference proceeding.

As indicated on the certificate of service, copies have been served on all parties of record.

If you have any questions concerning these matters, please contact me at the addresses or telephone numbers provided above.

Respectfully submitted,


John H. Isom

JHI/jl

Enclosures

cc: Certificate of Service

RECEIVED
2004 MAY 13 PM 4: 07
LA PUC
SECRETARY'S BUREAU

Co2

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, et al. :
:
v. :
:
PPL Electric Utilities Corporation :

Docket No. R-0004255

**ANSWER OF PPL ELECTRIC UTILITIES CORPORATION
TO THE "PETITION TO INTERVENE OF
MID-ATLANTIC POWER SUPPLY ASSOCIATION"**

DOCUMENT

PPL Electric Utilities Corporation ("PPL Electric") hereby answers the "Petition to Intervene" ("Petition") of Mid-Atlantic Power Supply Association ("MAPSA"):

1. Detailed information concerning MAPSA, its purposes, its governance and its membership is not reasonably available to PPL Electric, and therefore, the averments of Paragraph No. 1 of the Petition are denied.

2. Information concerning the identity of MAPSA's representatives is not reasonably available to PPL Electric, and therefore, the averments of Paragraph No. 2 of the Petition are denied.

3. The averments of Paragraph No. 3 of the Petition are admitted.

4. The averments of Paragraph No. 4 of the Petition reproduce the Commission regulation at 52 Pa. Code § 5.72(a).

5. In response to Paragraph No. 5 of the Petition, it is admitted that participation by PPL Electric's electric distribution customers in the competitive retail market for electric generation has declined from previous highs. The remaining averments of Paragraph No. 5 of the Petition are arguments, and not facts. Therefore, no

response is required. By way of further response, however, PPL Electric does not object to intervention by MAPSA in the above-captioned proceeding.

6. The averments of Paragraph No. 6 of the Petition are denied. MAPSA's interests are represented by, among others, the Office of Trial Staff which represents the interests of all parties. By way of further response, however, PPL Electric does not object to intervention by MAPSA in the above-captioned proceeding.

7. The averments of Paragraph No. 7 of the Petition are arguments and conclusions of law to which no response is required. By way of further response, however, PPL Electric does not object to intervention by MAPSA in the above-captioned proceeding.

8. The averments of Paragraph No. 8 of the Petition are arguments and conclusions of law to which no response is required. By way of further response, however, PPL Electric does not object to MAPSA's intervention in the above-captioned proceeding.

9. The averments of Paragraph No. 9 of the Petition are admitted.

The remaining averments of the Petition are requests for relief to which no response is required. By way of further response, however, PPL Electric does not object to MAPSA's intervention in the above-captioned proceeding.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing **Answer of PPL Electric Utilities Corporation to the "Petition to Intervene of Mid-Atlantic Power Supply Association"** upon the participant(s), listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

VIA FIRST-CLASS MAIL

Tanya J. McCloskey, Esquire
James A. Mullins, Esquire
Lori A. Herman, Esquire
Aron J. Beatty, Esquire
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

Steven C. Gray, Esquire
Office of Small Business Advocate
Commerce Building, Suite 1102
300 North Second Street
Harrisburg, PA 17101

Richard A. Kanaskie, Esquire
Office of Trial Staff
Commonwealth Keystone Building
400 North Street, 2nd Floor West
PO Box 3265
Harrisburg, PA 17105-3265

David M. Kleppinger, Esquire
Pamela C. Polacek, Esquire
Karen S. Miller, Esquire
McNees Wallace & Nurick
100 Pine Street
PO Box 1166
Harrisburg, PA 71108

David A. McCormick, Esquire
Department of the Army
Office of The Judge Advocate General
901 North Stuart Street
Arlington, VA 22203-1837

Stephen J. Baron, President
J. Kennedy & Associates Inc.
570 Colonial Park Drive, Suite 305
Roswell, GA 30075-3770

Scott J. Rubin, Esquire
3 Lost Creek Drive
Selinsgrove, PA 17870-9357

Eric Joseph Epstein
4100 Hillsdale Road
Harrisburg, PA 17112

Honorable Allison K. Turner
Administrative Law Judge
Pennsylvania Public Utility Commission
Philadelphia State Office Building
1400 West Spring Garden Street
Room 1302
Philadelphia, PA 19130

Joseph L. Vullo, Esquire
Attorney at Law
1460 Wyoming Avenue
Forty Fort, PA 18704

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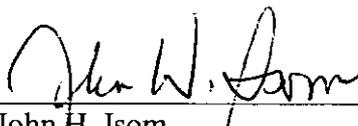
Eugene M. Brady
Commission on Economic Opportunity
165 Amber Lane
P.O. Box 1127
Wilkes-Barre, PA 18703

Kent D. Murphy, Esquire
Legal Department
Exelon Business Services Company
2301 Market Street/23-1
P.O. Box 8699
Philadelphia, PA 19101-8699

Patricia Armstrong
Thomas, Thomas, Armstrong & Niesen
212 Locust Street, Suite 500
P.O. Box 9500
Harrisburg, PA 17108-9500

Kevin J. Moody
Wolf, Block, Schorr and Solis-Cohen LLP
212 Locust Street, Suite 300
Harrisburg, PA 17101

Date: May 13, 2004



John H. Isom

Paul Russell
Associate General Counsel

PPL
Two North Ninth Street
Allentown, PA 18101-1179
Tel. 610.774.4254 Fax 610.774.6726
perussell@pplweb.com



May 13, 2004

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MAY 13 2004

James J. McNulty, Esquire
Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, Pennsylvania 17120

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**DOCUMENT
FOLDER**

**Re: PPL Electric Utilities Corporation
Supplement No. 38 to Tariff -
Electric Pa. P.U.C. No. 201
Docket No. R-00049255**

Dear Mr. McNulty:

Attached for filing, pursuant to the Commission's regulations, 52 Pa. Code § 5.342(d), is a Certificate of Service identifying responses to interrogatories that PPL Electric Utilities Corporation served today on the active participants in this proceeding.

If you have any questions regarding these responses, please call.

Very truly yours,

Paul E. Russell

Attachment

cc: The Honorable Allison K. Turner

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PPL Electric Utilities Corporation :
Supplement No. 38 to Tariff – Electric : Docket No. R-00049255
Pa. P.U.C. No. 201 :

CERTIFICATION OF SERVICE

I hereby certify that I have this day served a true copy of the responses of PPL Electric Utilities Corporation to Interrogatories of the Office of Trial Staff, Set 7, Questions OTS-RE-84 through OTS-RE-112 and Set 8, Questions OTS-RS-36 through OTS-RS-49, upon the participant(s) listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

VIA FEDERAL EXPRESS

Irwin A. Popowsky, Esquire
James A. Mullins, Esquire
Office Of Consumer Advocate
555 Walnut Street
5th Floor Forum Place
Harrisburg, PA 17101-1923

William Lloyd, Esquire
Steven C. Grey, Esquire
Office Of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17101

Johnnie Simms, Esquire
Richard A. Kanaskie, Esquire
Office Of Trial Staff
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 3rd Floor West
Harrisburg, PA 17120

David M. Kleppinger, Esquire
Pamela Polacek, Esquire
McNees, Wallace & Nurick
100 Pine Street
Harrisburg, PA 17108

David A. McCormick, Esquire
Regulatory Law Office (JALS-RL)
US Army Legal Services Agency
901 North Stuart Street, Room 713
Arlington, VA 22203-1837

Scott Rubin, Esquire
3 Lost Creek Drive
Selinsgrove, PA 17870-9357

Joseph L. Vullo, Esquire
Attorney At Law
1460 Wyoming Avenue
Forty Fort, PA 18704-4237

Mr. Robert D. Knecht
Industrial Economics Incorporated
2067 Massachusetts Avenue
Cambridge, MA 02140

Thomas Caitlin
Exeter Associates
5565 Sterrett Place
Suite 310
Columbia, MD 21044

Kevin J. Moody, Esquire
Wolf, Block, Schorr and Solis-Cohen LLP
212 Locust Street
Suite 300
Harrisburg, PA 17101

Roger E. Clark, Esquire
Sustainable Development Fund
718 Arch Street, Suite 300 North
Philadelphia, PA 19106-1591

Stephen J. Baron, President
J. Kennedy and Associates, Inc.
570 Colonial Park Drive
Suite 305
Roswell, GA 30075

Eric Epstein
4100 Hillside Drive
Harrisburg, PA 17112

Eugene M. Brady
Commission on Economic Opportunity
165 Amber Lane
Wilkes-Barre, PA 18703-1127

Kent Murphy, Esquire
Legal Division
Exelon Business Services Company
2301 Market Street/23-1
Philadelphia, PA 19103

Patricia Armstrong
Thomas, Thomas, Armstrong & Niesen
Suite 500
212 Locust Street
Harrisburg, PA 17108

John L. Munsch, Senior Attorney
Allegheny Energy
800 Cabin Hill Drive
Greensburg, PA 15601

Mark C. Morrow, Esquire
UGI Utilities, Inc.
460 North Gulph Road
King of Prussia, PA 19406

Dated: May 13, 2004


Paul E. Russell



Paul Russell
Associate General Counsel

PPL
Two North Ninth Street
Allentown, PA 18101-1179
Tel. 610.774.4254 Fax 610.774.6726
perussell@pplweb.com



May 13, 2004

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James J. McNulty, Esquire
Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, Pennsylvania 17120

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**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

**DOCUMENT
FOLDER**

**Re: PPL Electric Utilities Corporation
Supplement No. 38 to Tariff -
Electric Pa. P.U.C. No. 201
Docket No. R-00049255**

Dear Mr. McNulty:

Attached for filing, pursuant to the Commission's regulations, 52 Pa. Code § 5.342(d), is a Certificate of Service identifying responses to interrogatories that PPL Electric Utilities Corporation served today on the active participants in this proceeding.

If you have any questions regarding these responses, please call.

Very truly yours,

Paul E. Russell

Attachment

cc: The Honorable Allison K. Turner

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION MAY 13 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

PPL Electric Utilities Corporation :
Supplement No. 38 to Tariff – Electric :
Pa. P.U.C. No. 201 :

Docket No. R-00049255

CERTIFICATION OF SERVICE

I hereby certify that I have this day served a true copy of the responses of PPL Electric Utilities Corporation to Interrogatories of the Office of Consumer Advocate, Set I, Questions 1 through 25; and Set II, Questions 1 through 36; and Set III, Questions 1 through 66, upon the participant(s) listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

VIA FEDERAL EXPRESS

Irwin A. Popowsky, Esquire
James A. Mullins, Esquire
Office Of Consumer Advocate
555 Walnut Street
5th Floor Forum Place
Harrisburg, PA 17101-1923

William Lloyd, Esquire
Steven C. Grey, Esquire
Office Of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17101

Johnnie Simms, Esquire
Richard A. Kanaskie, Esquire
Office Of Trial Staff
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 3rd Floor West
Harrisburg, PA 17120

David M. Kleppinger, Esquire
Pamela Polacek, Esquire
McNees, Wallace & Nurick
100 Pine Street
Harrisburg, PA 17108

David A. McCormick, Esquire
Regulatory Law Office (JALS-RL)
US Army Legal Services Agency
901 North Stuart Street, Room 713
Arlington, VA 22203-1837

Scott Rubin, Esquire
3 Lost Creek Drive
Selinsgrove, PA 17870-9357

Joseph L. Vullo, Esquire
Attorney At Law
1460 Wyoming Avenue
Forty Fort, PA 18704-4237

Mr. Robert D. Knecht
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2067 Massachusetts Avenue
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212 Locust Street
Suite 300
Harrisburg, PA 17101

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Philadelphia, PA 19106-1591

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570 Colonial Park Drive
Suite 305
Roswell, GA 30075

Eric Epstein
4100 Hillside Drive
Harrisburg, PA 17112

Eugene M. Brady
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165 Amber Lane
Wilkes-Barre, PA 18703-1127

Kent Murphy, Esquire
Legal Division
Exelon Business Services Company
2301 Market Street/23-1
Philadelphia, PA 19103

Patricia Armstrong
Thomas, Thomas, Armstrong & Niesen
Suite 500
212 Locust Street
Harrisburg, PA 17108

John L. Munsch, Senior Attorney
Allegheny Energy
800 Cabin Hill Drive
Greensburg, PA 15601

Mark C. Morrow, Esquire
UGI Utilities, Inc.
460 North Gulph Road
King of Prussia, PA 19406

Dated: May 13, 2004



Paul E. Russell

Morgan, Lewis & Bockius LLP
One Commerce Square
417 Walnut Street
Harrisburg, PA 17101-1904
Tel: 717.237.4000
Fax: 717.237.4001
www.morganlewis.com

ORIGINAL

Morgan Lewis
COUNSELORS AT LAW

John H. Isom
717.237.4022
jisom@morganlewis.com

**DOCUMENT
FOLDER**

May 13, 2004

VIA HAND DELIVERY

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

**Re: PAPUC v. PPL Electric Utilities
Docket No. R-00049255**

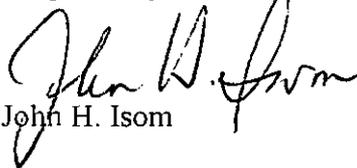
Dear Secretary McNulty:

Enclosed for filing are an original and three (3) copies of the Answer of PPL Electric Utilities Corporation to the "Petition to Intervene of Sustainable Energy Fund of Central Eastern Pennsylvania" in the above-reference proceeding.

As indicated on the certificate of service, copies have been served on all parties of record.

If you have any questions concerning these matters, please contact me at the addresses or telephone numbers provided above.

Respectfully submitted,


John H. Isom

JHI/jl

Enclosures

cc: Certificate of Service

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, et al. :
:
v. :
:
PPL Electric Utilities Corporation :

Docket No. R-0004925

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**ANSWER OF PPL ELECTRIC UTILITIES CORPORATION TO THE
"PETITION TO INTERVENE OF SUSTAINABLE ENERGY FUND
OF CENTRAL EASTERN PENNSYLVANIA"**

PPL Electric Utilities Corporation ("PPL Electric") hereby answers the "Petition to Intervene" ("Petition") of the Sustainable Energy Fund of Central Eastern Pennsylvania ("SEF"):

1. The averments of Paragraph No. 1 of the Petition are admitted.
2. Information concerning the status of SEF under the Internal Revenue Code

is not reasonably available to PPL Electric, and therefore, such averments are denied.

The remaining averments of Paragraph No. 2 of the Petition are admitted.

3. The averments of Paragraph No. 3 of the Petition are admitted.
4. The averments of Paragraph No. 4 of the Petition are admitted.
5. Paragraph No. 5 of the Petition sets forth the Commission's regulation at 52 Pa. Code § 5.72(a). It is admitted that the Petition correctly quotes the regulation.
6. Paragraph No. 6 of the Petition sets forth the Commission's regulation at 52 Pa. Code § 5.73(a). It is admitted that SEF correctly quoted 52 Pa. Code § 5.73(a).
7. The averments of Paragraph No. 7 of the Petition are admitted.
8. The averments of Paragraph No. 8 of the Petition are admitted.

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9. The averments of Paragraph No. 9 of the Petition are admitted.
10. The averments of Paragraph No. 10 of the Petition are admitted.
11. The averments of Paragraph No. 11 of the Petition are conclusions of law

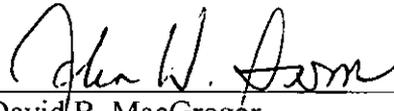
to which response is required.

12. Paragraph No. 12 of the Petition are conclusions of law to which no response is required.

13. Paragraph No. 13 of the Petition is a statement of SEF's position in the proceeding as such, it is not an averment of fact, and therefore, no response is required.

The remaining averments of the Petition are requests for relief to which no response is required. By way of further response, however, PPL Electric does not oppose intervention by the Sustainable Energy Fund of Central Eastern Pennsylvania in the above-captioned proceeding.

Respectfully submitted,



David B. MacGregor
Morgan, Lewis & Bockius LLP
1701 Market Street
Philadelphia, PA 19103-2921
Voice 215.963.5000
Fax: 215.963.5299
E-mail: dmacgregor@morganlewis.com

Michael W. Gang
John H. Isom
Morgan, Lewis & Bockius LLP
One Commerce Square
417 Walnut Street
Harrisburg, PA 17101-1904
Voice: 717.237.4000
Fax: 717.237.4004
E-mail: mgang@morganlewis.com
E-mail: jisom@morganlewis.com

Of Counsel:

Morgan, Lewis & Bockius LLP

Date: May 13, 2004

Paul E. Russell
Associate General Counsel
PPL Services Corporation
Two North Ninth Street
Allentown, PA 18101-1179
Voice: 610.774.4254
Fax: 610.774.6726
E-mail:perussell@pplweb.com

Attorneys for PPL Electric
Utilities Corporation

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing **Answer of PPL Electric Utilities Corporation to the "Petition to Intervene of Sustainable Energy Fund of Central Eastern Pennsylvania"** upon the participant(s), listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

VIA FIRST-CLASS MAIL

Tanya J. McCloskey, Esquire
James A. Mullins, Esquire
Lori A. Herman, Esquire
Aron J. Beatty, Esquire
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

Steven C. Gray, Esquire
Office of Small Business Advocate
Commerce Building, Suite 1102
300 North Second Street
Harrisburg, PA 17101

Richard A. Kanaskie, Esquire
Office of Trial Staff
Commonwealth Keystone Building
400 North Street, 2nd Floor West
PO Box 3265
Harrisburg, PA 17105-3265

David M. Kleppinger, Esquire
Pamela C. Polacek, Esquire
Karen S. Miller, Esquire
McNees Wallace & Nurick
100 Pine Street
PO Box 1166
Harrisburg, PA 71108

David A. McCormick, Esquire
Department of the Army
Office of The Judge Advocate General
901 North Stuart Street
Arlington, VA 22203-1837

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J. Kennedy & Associates Inc.
570 Colonial Park Drive, Suite 305
Roswell, GA 30075-3770

Scott J. Rubin, Esquire
3 Lost Creek Drive
Selinsgrove, PA 17870-9357

Eric Joseph Epstein
4100 Hillsdale Road
Harrisburg, PA 17112

Honorable Allison K. Turner
Administrative Law Judge
Pennsylvania Public Utility Commission
Philadelphia State Office Building
1400 West Spring Garden Street
Room 1302
Philadelphia, PA 19130

Joseph L. Vullo, Esquire
Attorney at Law
1460 Wyoming Avenue
Forty Fort, PA 18704

SECRETARY'S BUREAU

2004 MAY 13 PM 4: 08

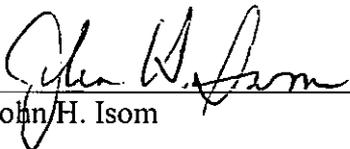
RECEIVED

Eugene M. Brady
Commission on Economic Opportunity
165 Amber Lane
P.O. Box 1127
Wilkes-Barre, PA 18703

Patricia Armstrong
Thomas, Thomas, Armstrong & Niesen
Suite 500
212 Locust Street
P.O. Box 9500
Harrisburg, PA 17108-9500

Kent D. Murphy, Esquire
Legal Department
Exelon Business Services Company
2301 Market Street/23-1
P.O. Box 8699
Philadelphia, PA 19101-8699

Date: May 13, 2004



John H. Isom

Paul E. Russell
Associate General Counsel

DOCUMENT

PPL
Two North Ninth Street
Allentown, PA 18101-1179
Tel. 610.774.4254 Fax 610.774.6726
perussell@pplweb.com



May 17, 2004

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James J. McNulty, Esquire
Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, Pennsylvania 17120

MAY 17 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Re: **PPL Electric Utilities Corporation
Supplement No. 38 to Tariff -
Electric Pa. P.U.C. No. 201
Docket No. R-00049255**

Dear Mr. McNulty:

Attached for filing, pursuant to the Commission's regulations, 52 Pa. Code § 5.342(d), is a Certificate of Service identifying responses to interrogatories that PPL Electric Utilities Corporation served today on the active participants in this proceeding.

If you have any questions regarding these responses, please call.

Very truly yours,

Paul E. Russell

Attachment

cc: The Honorable Allison K. Turner

MAY 17 2004

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION
PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

PPL Electric Utilities Corporation :
Supplement No. 38 to Tariff – Electric :
Pa. P.U.C. No. 201 :

Docket No. R-00049255

ORIGINAL

CERTIFICATION OF SERVICE

I hereby certify that I have this day served a true copy of the responses of PPL Electric Utilities Corporation to Interrogatories of the Office of Consumer Advocate, Set IV, Questions 1 through 18 and Set V, Questions 1 through 14; upon the participant(s) listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

VIA FEDERAL EXPRESS

Irwin A. Popowsky, Esquire
James A. Mullins, Esquire
Office Of Consumer Advocate
555 Walnut Street
5th Floor Forum Place
Harrisburg, PA 17101-1923

William Lloyd, Esquire
Steven C. Grey, Esquire
Office Of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17101

Johnnie Simms, Esquire
Richard A. Kanaskie, Esquire
Office Of Trial Staff
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 3rd Floor West
Harrisburg, PA 17120

David M. Kleppinger, Esquire
Pamela Polacek, Esquire
McNees, Wallace & Nurick
100 Pine Street
Harrisburg, PA 17108

David A. McCormick, Esquire
Regulatory Law Office (JALS-RL)
US Army Legal Services Agency
901 North Stuart Street, Room 713
Arlington, VA 22203-1837

Scott Rubin, Esquire
3 Lost Creek Drive
Selinsgrove, PA 17870-9357

Joseph L. Vullo, Esquire
Attorney At Law
1460 Wyoming Avenue
Forty Fort, PA 18704-4237

Mr. Robert D. Knecht
Industrial Economics Incorporated
2067 Massachusetts Avenue
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Thomas Caitlin
Exeter Associates
5565 Sterrett Place
Suite 310
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Kevin J. Moody, Esquire
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212 Locust Street
Suite 300
Harrisburg, PA 17101

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718 Arch Street, Suite 300 North
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570 Colonial Park Drive
Suite 305
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165 Amber Lane
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Patricia Armstrong
Thomas, Thomas, Armstrong & Niesen
Suite 500
212 Locust Street
Harrisburg, PA 17108

John L. Munsch, Senior Attorney
Allegheny Energy
800 Cabin Hill Drive
Greensburg, PA 15601

Mark C. Morrow, Esquire
UGI Utilities, Inc.
460 North Gulph Road
King of Prussia, PA 19406

Dated: May 17, 2004



Paul E. Russell



McNees Wallace & Nurick LLC
attorneys at law

KAREN S. MILLER
DIRECT DIAL: (717) 237-5359
E-MAIL ADDRESS: KMILLER@MWN.COM

May 17, 2004

The Honorable Allison K. Turner
Administrative Law Judge
Pennsylvania Public Utility Commission
1302 Philadelphia State Office Building
1400 West Spring Garden Street
Philadelphia, PA 19130

**VIA FACSIMILE, E-MAIL AND
FEDERAL EXPRESS**

**Re: Pennsylvania Public Utility Commission v. PPL Electric Utilities Corporation;
Docket No. R-00049255**

Dear Judge Turner:

Please find enclosed the Prehearing Memorandum of the PP&L Industrial Customer Alliance regarding the above-referenced matter.

As evidenced by the attached Certificate of Service, all parties to this proceeding have been duly served. Thank you.

DOCUMENT

Very truly yours,

McNEES WALLACE & NURICK LLC

By *Karen S. Miller*
David M. Kleppinger
Pamela C. Polacek
Karen S. Miller

Counsel to the PP&L Industrial Customer Alliance

KSM
Enclosures
c: James J. McNulty, Secretary (via Hand Delivery)
Certificate of Service

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2004 MAY 17 PM 4: 04
SECRETARY'S BUREAU

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC
UTILITY COMMISSION

v.

PPL ELECTRIC UTILITIES
CORPORATION

PP&L INDUSTRIAL CUSTOMER
ALLIANCE

v.

PPL ELECTRIC UTILITIES
CORPORATION

Docket No. R-00049255

Docket No. R-00049255C0002

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SECRETARY'S BUREAU
Pa. P.U.C.

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JUL 02 2004

**PREHEARING MEMORANDUM
OF THE PP&L INDUSTRIAL CUSTOMER ALLIANCE**

The PP&L Industrial Customer Alliance ("PPLICA") hereby submits this Prehearing Memorandum in the above-captioned proceeding. PPLICA intends to participate in this proceeding as an "active" party.

I. HISTORY OF THE PROCEEDING

On March 29, 2004, PPL Electric Utilities Corporation ("PPL" or "Company") filed Supplement No. 38 to Tariff – Electric Pa. P.U.C. No. 201, together with supporting testimony, with the Pennsylvania Public Utility Commission ("PUC" or "Commission"). By its filing, PPL requests an increase in the Company's distribution base rates under Section 1308 of the Public Utility Code, 66 Pa.C.S.A. § 1308. On April 6, 2004, PPLICA filed a Complaint in this proceeding. A description of PPLICA is set forth in Paragraph 6 of PPLICA's Complaint.

DOCUMENT

II. ANTICIPATED ISSUES AND SUB-ISSUES

PPLICA's preliminary review of the Company's filing indicates the need for Commission investigation into at least the following issues:

- (a) whether the size of the requested rate increase is appropriate;
- (b) whether the expenses claimed by PPL were prudently incurred;
- (c) whether the allocation of the proposed distribution rate increase between and among customer classes is just, reasonable and non-discriminatory;
- (d) whether PPL's proposed rate structure and rate design are appropriate;
- (e) whether the 11.5% return on equity proposed by PPL and other aspects of the Company's proposal result in a fair rate of return;
- (f) whether PPL's claimed cost of service is accurate, legitimate and appropriately allocated;
- (g) whether PPL's proposed funding of certain social programs, including the Community Betterment Initiative and the Sustainable Energy Fund, is appropriate;
- (h) whether PPL's proposed application and design of the proposed Transmission Service Charge is appropriate, just and reasonable; and
- (i) whether PPL's proposed implementation of a Distribution System Improvement Charge is appropriate and lawful.

PPLICA anticipates pursuing these issues during this proceeding, and reserves the right to raise and address other issues of concern and to respond to issues raised by other parties.

III. PROPOSED WITNESSES

PPLICA tentatively expects to sponsor the testimony of the following witnesses:

- (a) Stephen J. Baron of J. Kennedy and Associates, Inc.;
- (b) Jennifer Hunsperger of Praxair, Inc.;
- (c) Craig C. Onori of Agere Systems, Inc.;
- (d) Jay Rooney of Armstrong World Industries, Inc; and

(e) Larry Stalica of BOC Gases.

PPLICA reserves the right to modify or supplement this witness list during the course of this proceeding. In the event that PPLICA decides to modify or supplement its witness list, PPLICA will inform the parties and the Administrative Law Judge ("ALJ") as soon as possible of the intended witnesses. PPLICA also intends to participate in this proceeding through the submission of discovery, cross-examination of other parties' witnesses, and the submission of briefs, exceptions and reply exceptions, if necessary.

IV. PROPOSED SCHEDULE AND DISCOVERY RULES

PPLICA will cooperate with the ALJ and the parties at the Prehearing Conference to develop an appropriate procedural schedule and discovery rules in accordance with the Commission's regulations and any ALJ directives.

V. POSSIBILITY OF SETTLEMENT

PPLICA is willing to participate in discussions with the other parties to amicably resolve the issues in this proceeding.

Respectfully submitted,

McNEES WALLACE & NURICK LLC

By Karen S. Miller

David M. Kleppinger
Pamela C. Polacek
Karen S. Miller
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166
Phone: (717) 232-8000
Fax: (717) 237-5300

Dated: May 17, 2004

Counsel to the PP&L Industrial Customer
Alliance

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a true copy of the foregoing document upon the participants listed below in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service by a participant).

VIA E-MAIL AND FIRST CLASS MAIL

Steven C. Gray, Esq.
Office of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17101

David A. McCormick, Esq.
The Department of Defense and Federal
Executive Agencies
Regulatory Law Office
U.S. Army Legal Services Agency
Department of the Army (DAJA-RL 4120)
901 North Stuart Street, Room 713
Arlington, VA 22203-1837

Tanya J. McCloskey, Esq.
James A. Mullins, Esq.
Lori A. Herman, Esq.
Aron J. Beatty, Esq.
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

David B. MacGregor, Esq.
Morgan, Lewis & Bockius LLP
1701 Market Street
Philadelphia, PA 19103-2921

Joseph L. Vullo, Esquire
1460 Wyoming Avenue
Forty Fort, PA 18704-4224

Michael W. Gang, Esq.
John H. Isom, Esq.
Morgan, Lewis & Bockius LLP
One Commerce Square
417 Walnut Street
Harrisburg, PA 17101-1904

Richard A. Kanaskie, Esq.
Office of Trial Staff
Pennsylvania Public Utility Commission
400 North Street, 2nd Floor West
P.O. Box 3265
Harrisburg, PA 17105-3265

Eric Joseph Epstein
4100 Hillside Road
Harrisburg, PA 17112

Scott J. Rubin, Esq.
3 Lost Creek Drive
Selinsgrove, PA 17870-9357

Mark C. Morrow, Esquire
UGI Utilities, Inc.
460 North Gulph Road
King of Prussia, PA 19406

Stephen J. Baron, President
J. Kennedy and Associates, Inc.
570 Colonial Park Drive, Suite 305
Roswell, GA 30075-3770

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SECRETARY'S BUREAU

Mr. Eugene M. Brady
Commission on Economic Opportunity
165 Amber Lane
P.O. Box 1127
Wilkes-Barre, PA 18703-1127

Patricia Armstrong, Esq.
Thomas T. Niesen, Esq.
Thomas, Thomas, Armstrong & Niesen
212 Locust Street, Suite 500
P.O. Box 9500
Harrisburg, PA 17108-9500

Kent D. Murphy, Esq.
Exelon Business Services Co.
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699

Tracy McCormick
Executive Director
MAPSA
P.O. Box 6089
Harrisburg, PA 17112

John L. Munsch, Esquire
Allegheny Energy
800 Cabin Hill Drive
Greensburg, PA 15601-1689

Michael Fiorentino, Esquire
Joseph Otis Minott, Esquire
Clean Air Council
135 S. 19th Street, Suite 300
Philadelphia, PA 19103

Mr. Robert D. Knecht
Industrial Economics Incorporated
2067 Massachusetts Avenue
Cambridge, MA 02140

Paul E. Russell, Assoc. General Counsel
PPL Electric Utilities Corporation
Two North Ninth Street
Allentown, PA 18101-1179

Richard Rathvon, President
MAPSA
c/o Reliant Energy Solutions
379 Thornall Street, 5th Floor
Edison (Metro Park), NJ 08837

Mr. Thomas Caitlin
Exeter Associates
5565 Sterrett Place
Suite 310
Columbia, MD 21044

Roger E. Clark, Esquire
Substantial Development Fund
718 Arch Street, Suite 300 North
Philadelphia, PA 19106-1591

Daniel Clearfield, Esquire
Kevin J. Moody, Esquire
Wolf Block Schorr & Solis-Cohen LLP
212 Locust Street, Suite 300
Harrisburg, PA 17036



Karen S. Miller

Counsel to the PP&L Industrial
Customer Alliance

Dated this 17th day of May, 2004, at Harrisburg, Pennsylvania.