**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission : R-2015-2469275

Office of Consumer Advocate, : C-2015-2475448

Office of Small Business Advocate : C-2015-2478277

PP&L Industrial Customer Alliance : C-2015-2480265

C. Wintermeyer : C-2015-2485827

Cathleen A. Woomert : C-2015-2484588

Michael B. Young : C-2015-2485860

Joseph E. McAndrew : C-2015-2489524

:

v. : :

PPL Electric Utilities Corporation :

**ORDER ADMITTING THE TESTIMONY AND EXHIBITS OF ROBERT D. KNECHT**

On March 31, 2015, PPL Electric Utilities Corporation (PPL Electric or Company) filed Supplement No. 179 to Tariff Electric – Pa. PUC No. 201, containing proposed changes in rates, rules, and regulations calculated to produce approximately $167.5 million in additional annual revenues based upon data for a fully projected future test year ending December 31, 2016. This proposed rate change represents an average increase in the Company's distribution rates of approximately 18.5%, which equates to an average increase in total rates (distribution, transmission, and generation charges) of approximately 3.9%. Supplement No. 179 was proposed to take effect on June 1, 2015. The filing was suspended by Commission Order entered April 23, 2015.

Formal complaints against this proposed tariff have been filed by: the Office of Consumer Advocate (OCA), the Office of Small Business Advocate (OSBA), PP&L Industrial Customer Alliance (PPLICA), D. Wintermeyer, Cathleen A. Woomert, Thomas B. Young, and Joseph McAndrew.

Petitions to intervene were filed by the Commission on Economic Opportunity (CEO), the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA), the Clean Air Council, Sustainable Energy Fund (SEF), the Alliance for Solar Choice (TASC), and Eric Joseph Epstein. The Commission's Bureau of Investigation and Enforcement (I&E) filed a Notice of Appearance.

Motion for admission pro hac vice was filed by Joseph Minnott, attorney for the Alliance for Solar Choice, seeking admission for David R. Wooley and Jacob J. Schlesinger.

On April 22, 2015, a Notice was issued which scheduled the prehearing conference for Thursday, May 7, 2015. A prehearing conference order (First Prehearing Order) was also issued on April 22, 2015, which directed the litigating parties to file and serve their prehearing memos on or before Friday, May 1, 2015 on or before noon. Prehearing memos were filed by the following: PPL Electric, OCA, OSBA, I&E, PPLICA, CEO, SEF, Clean Air Council, TASC, CAUSE-PA, and Mr. Epstein.

The prehearing conference was held as scheduled on May 7, 2015. The following attended: David B. MacGregor, Esq., Paul E. Russell, Esq., and Christopher T. Wright, Esq., for PPL Electric; Darryl Lawrence, Esq., Hobart Webster, Esq., and Lauren Birge, Esq., for OCA; Richard Kanaskie, Esq., Gina L. Lauffer, Esq., and Kenneth R. Stark, Esq., for I&E; Steven C. Gray, Esq., for OSBA; Joseph Vullo, Esq., for CEO; Adeolu Bakare, Esq., for PPLICA; Kenneth L. Mickens, Esq., for SEF, Logan Welde, Esq., and Joseph O. Minott, Esq., for the Clean Air Counsel; Mr. Minott also appeared on behalf of the Alliance for Solar Choice, along with David R. Wooley, Esq.; Elizabeth Marx appeared on behalf of CAUSE-PA, and Mr. Epstein appeared pro se.

The petitions to intervene filed by CAUSE-PA, CEO, SEF, and Mr. Epstein were unopposed and were granted in the ordering paragraphs of the Scheduling Order.

Two petitions to intervene were opposed by the Company for lack of standing. The petition to intervene filed by the Clean Air Council faced the objections of the Company for failure to aver by name their members who are PPL Electric customers, and the petition to intervene filed by TASC faced the objections of the Company for failure to identify which members provide service within PPL Electric's service territory. Both TASC and the Clean Air Council were given five business days from the date of issuance of this Order to file and serve amended petitions with the requested information. The Company was given five business days from the date of the filing of the amended petitions to respond.

On May 12, 2015, Natural Resources Defense Council (NRDC) filed a Notice of Intervention. As notices of intervention can only be filed by statutory advocates, and all others must file either a petition or a complaint, the NRDC filing will be treated as a petition.

On May 13, 2015, the Clean Air Council filed its Amended Petition to Intervene, and on May 14, 2015, TASC filed its Amended Petition to Intervene. The time for filing a response has run, and no response has been filed. Counsel for PPL Electric indicated by email that no opposition would be filed to any of the three outstanding petitions to intervene. Therefore, the three petitions were granted by Order issued May 28, 2015.

On June 1, 2015, the Keystone Energy Efficiency Alliance (KEEA) Energy Education Fund filed a Petition to Intervene, and no party filed opposition to the Petition. The Petition was granted by Order dated June 22, 2015 (Fifth Prehearing Order).

On June 19, 2015, the Motion for Admission Pro hac Vice, Notice of Appearance, Petition to Intervene of Environmental Defense fund and the Prehearing Memorandum on Behalf of Environmental Defense Fund (EDF or Petitioner) was filed and served. As there was no indication that the Petitioner had obtained the agreement of other parties to its Petition to Intervene, the full time for response needed to run prior to my addressing the Petition. 52 Pa.Code § 5.61(a). On June 23, 2015, EDF served the Direct Testimony of Dick Munson.

On July 10, 2015, PPL Electric filed its Answer in Objections to the Petition to Intervene of Environmental Defense Fund and Motion in Limine to Exclude Environmental Defense Fund's Testimony and to Limit the Scope of the Evidentiary Hearing. On July 10, 2015, EDF filed its Response.

On July 14, 2015, the Sixth Prehearing Order was issued which granted the petition to intervene of the Environmental Defense Fund, granted the Motion for Admission Pro Hac Vice of Michael Panfil and John Finnegan, and granted the Motion In Limine of PPL Electric Utilities Corporation to Strike the Direct Testimony of Dick Munson and to Exclude the Issues Raised Therein.

On July 28, 2015, the Company informed me by email that a partial settlement in principle had been reached on a majority of. By August 3, 2015, all issues save one had been settled, and the parties requested that the hearing dates be reduced to one. Also on August 3, 2015, PPL Electric filed a Motion in Limine to Exclude Certain Portions of Testimony and to Limit the Scope of the Evidentiary Hearing. TASC was given an opportunity to respond. Before the time for response had run, PPL Electric informed me that a full settlement had been reached and that the Motion in Limine would be withdrawn. By letter dated August 3, 2015, the Motion in Limine was withdrawn.

On the morning of August 11, 2015, the day set for the evidentiary hearing to accept the evidence into the record, counsel for the OSBA sent an email indicating that he was too ill to attend. By return email, he was given the option of having another counsel present his testimony, with the verification to be delivered by an office staffer or to be sent later, but counsel did not respond. The hearing was held as scheduled, and all other testimony and exhibits were admitted to the record without objection. On August 14, 2015, counsel for OSBA filed a Motion for Admission of the Testimony and Exhibits submitted on behalf of the OSBA. As all parties have waived objections and cross, this Motion is granted without objection.

ORDER

THEREFORE,

IT IS ORDERED:

1. That the Motion for Admission of Testimony and Exhibits of the Office of Small Business Advocate is granted.

2. That the following is admitted to the record in this case:

a. Revised Direct Testimony and Exhibits of Robert D. Knecht, OSBA Statement No. 1; and

b. Rebuttal Testimony and Exhibits of Robert D. Knecht, OSBA Statement No. 2.

3. That the Office of Small Business Advocate shall file the admitted testimony and exhibits with the Commission's Secretary no later than September 1, 2015.

Dated: August 17, 2015 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Susan D. Colwell

Administrative Law Judge

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**Revised 7/30/2015**

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