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ORIGINAL

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August 28, 2006

VIA HAND DELIVERY

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
Harrisburg, PA 17120

**RE: Petition of PPL Electric Utilities Corporation for Approval of a
Competitive Bridge Plan; Docket No. P-00062227**

Dear Secretary McNulty:

Enclosed for filing with the Pennsylvania Public Utility Commission are the original and three (3) copies of the Protest and Petition to Intervene of the PP&L Industrial Customer Alliance ("PPLICA") in the above-referenced proceeding.

As shown by the attached Certificate of Service, all parties to this proceeding are being duly served. Please date stamp the extra copy of this transmittal letter and kindly return it for our filing purposes. Thank you.

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Very truly yours,

McNEES WALLACE & NURICK LLC

By *Pamela C. Polacek*

David M. Kleppinger
Pamela C. Polacek
Adam L. Benschoff

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Counsel to the PP&L Industrial
Customer Alliance

PCP/lhi
Enclosures
c: Certificate of Service

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PPL Electric Utilities :
Corporation for Approval of a : Docket No. P-00062227
Competitive Bridge Plan :

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**PROTEST AND PETITION TO INTERVENE OF
THE PP&L INDUSTRIAL CUSTOMER ALLIANCE**

On August 2, 2006, PPL Electric Utilities Corporation ("PPL" or "Company") submitted to the Pennsylvania Public Utility Commission ("PUC" or "Commission") a Petition for Approval of a Competitive Bridge Plan ("Petition"). The Petition indicates that the request is submitted pursuant to 52 Pa. Code § 5.41 and requests that the Commission rule on the Petition no later than January 31, 2007. Pursuant to Sections 5.51 and 5.71-5.74 of the Commission's Regulations, 52 Pa. Code §§ 5.51 and 5.71-5.74, and the Commission's August 12, 2006, Notice as published in the Pennsylvania Bulletin, the PP&L Industrial Customer Alliance ("PPLICA") hereby submits this Protest and Petition to Intervene with regard to PPL's filing.¹

I. Background

1. The Protestant is PPLICA, the tentative membership of which is listed in Appendix "A" attached hereto. PPLICA will update Appendix "A" during this proceeding, as necessary.

¹ Although the Commission's regulations specify that an "Answer" is the expected responsive pleading to a "Petition," the Notice included a deadline for "Protests" to the filing. As a result, this Pleading is styled as a Protest. To the extent the Commission requires a paragraph-by-paragraph Answer to the Petition, PPLICA will supplement this pleading, upon request.

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AUG 29 2006

2. The names and address of the Complainant's attorneys are:

David M. Kleppinger (Pa. I.D. 2091)
Pamela C. Polacek (Pa. I.D. 78276)
Adam L. Benshoff (Pa. I.D. 200498)
McNEES WALLACE & NURICK LLC
100 Pine Street
P. O. Box 1166
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All correspondence in this proceeding from the Commission should be directed to the attention of Pamela C. Polacek at the address listed above.

3. PPLICA is an ad hoc association of energy-intensive manufacturing and industrial customers that use electric service in PPL's service territory. PPLICA has been actively involved in many proceedings related to the introduction of electric generation supply choice in PPL's service territory. This includes being a participant in PPL's Restructuring Proceeding pursuant to the Electricity Generation Customer Choice and Competition Act ("Competition Act") and a signatory to the Settlement that resolved the appeals and challenges to the Commission's Final Order in the Restructuring Proceeding at Docket No. R-00973954. PPLICA also participated in prior rate case proceedings, including PPL's 2004 distribution base rate proceeding at Docket No. R-00049255. PPLICA members have a substantial interest in the development of the competitive generation supply market in PPL's service territory and in ensuring that the *protections afforded by the Competition Act to consumers are upheld. Derogation of either the competitive market or the consumer protections may detrimentally impact the rates that PPLICA members pay for transmission, distribution and/or generation supply service, as well as the terms and conditions of those services.*

4. In the August 2, 2006, Petition, PPL requests permission to institute a Competitive Bridge Plan ("CBP") to establish the terms and conditions under which PPL will supply Provider of Last Resort ("POLR") service during 2010, as a transition to a fully competitive statewide market beginning January 1, 2011.² See generally, Petition of PPL Electric Corporation for Approval of a Competitive Bridge Plan; Docket No. P-00062227 (hereinafter, "Petition"). The requested CBP consists of the following major components: (1) a three-year competitive procurement program, beginning in 2007, to obtain the supply necessary to meet the Company's POLR obligations in 2010; (2) a fixed-price POLR option for all customers including any large commercial and industrial ("Large C&I") customer that is willing to commit by December 31, 2008, to purchase fixed-price POLR service as of January 1, 2010, at a yet-to-be determined price; (3) changes to the Company's current Generation Rate Adjustment ("GRA") mechanism to purportedly compensate suppliers of the wholesale electric for the Large C&I fixed-price option for their losses if a Large C&I customer leaves fixed-price service during 2010; (4) an hourly LMP-priced service for Large C&I customers that do not pre-select fixed-price service by December 31, 2008; (5) continuation of the Company's current demand side response ("DSR") programs except its interruptible programs on Rate Schedules IS-T and IS-P, and its Price Responsive Service ("PRS") offering, which the Company proposes to eliminate at the conclusion of the generation rate cap; (6) a three-year consumer education program beginning in 2007; (7) an increase in assistance for low-income customers beginning January 1, 2010; and, (8) a modification to the Transmission Service Charge ("TSC") to authorize the pass-through of charges from entities providing wholesale generation supply to the Company.

² PPL's tariff refers to POLR service as Basic Utility Supply Service or BUSS. PPLICA will use these terms interchangeably.

5. PPLICA currently has several concerns regarding the Company's Petition, and specifically requests full evidentiary hearings with an opportunity for all interested parties to provide testimony prior to any Commission determination on these issues. PPLICA has outlined its specific concerns below.

II. Petition to Intervene

6. Pursuant to the provisions of 52 Pa. Code §§ 5.71 – 5.74, PPLICA hereby files this Petition to Intervene with the Commission in the above-captioned proceeding. Consistent with Section 5.72(a), 52 Pa. Code § 5.72(a), and as more fully detailed in paragraph 3, supra, PPLICA has a significant interest in the above-captioned proceeding. As that interest is not adequately represented by any other party of record, under the Commission's Regulations PPLICA should be granted intervenor status in this proceeding.

III. Protest to PPL's Competitive Bridge Plan

7. A preliminary review of the Company's filing indicates the clear need for a full Commission investigation, with evidentiary hearings, as it remains wholly unclear from the Petition alone whether the Company's proposal is in compliance with Section 2807(e)(3) of the Public Utility Code, 66 Pa.C.S. § 2807(e)(3). PPLICA sets forth below eight specific issues to be considered in that proceeding. PPLICA reserves the right, however, to raise and address additional issues of concern during the course of the proceeding based on further review of the Petition and discovery.

8. Fixed Price Option for Large Commercial and Industrial Customers: PPLICA fully supports an appropriately structured fixed-price option for Large C&I customers. Unfortunately, it remains unclear whether the Company's current proposal represents such an appropriate design. Among various other issues, PPLICA is specifically concerned by the requirement that Large C&I customers must decide whether to receive fixed rate service by

December 31, 2008, for the 2010 calendar year. See Petition, p. 16. The reality is that Large C&I customers will be required to make a determination regarding fixed-price service not only without knowing what rate they will receive, but almost one year in advance of even PPL knowing what rate it can offer. Such uncertainty in price creates significant pitfalls for economically sensitive Large C&I customers. PPLICA questions whether this advanced notice requirement is a necessary and reasonable part of the POLR offering for PPL's Large C&I customers.

9. Generation Rate Adjustment Design: Complicating matters further, under PPL's proposal, if a fixed-price POLR customer elects to leave that service during 2010, it will be assessed a revised version of the GRA. See Petition, p. 21. PPL's filing, however, fails to provide sufficient substantive detail on how this GRA will function. It remains unclear whether a customer will even be able to determine the GRA at the time of switching to a competitive supplier. PPL's GRA mechanism originally was designed to discourage seasonal switching activity by customers between POLR and Electric Generation Supplier ("EGS") service. See Hoffman Industries, Inc. v. PPL Electric Utilities Corporation; Docket No. C-00003811 (Apr. 19, 2001); see also, Guidelines for Addressing Return of Customers to Provider of Last Resort Service; Docket No. M-00960890F0017 (June 22, 2000). Based on the initial review of the Petition, PPLICA questions whether using the revised GRA as compensation to PPL (and its wholesale suppliers) for "risk" or "losses" incurred due to Large C&I shopping during 2010 is appropriate. In addition, the Company provides no mechanism for adjustments to the GRA under circumstances such as load growth, which may offset (in whole or part) the suppliers' "losses" due to switching. Thus, the current PPL proposal is unjust, unreasonable, and unduly discriminatory as filed on August 2, 2006. The details of this process and calculation must be

clearly refined during a full evidentiary proceeding to ensure an appropriate balance between reasonable fixed-price service and customer's direct access opportunities.

10. Generation Supply Charge: The Company seeks to establish a fully reconcilable Generation Supply Charge ("GSC") for each customer class. See Petition, p. 19. The GSC will be an automatic recovery mechanism with annual reconciliation for any over-recovery or under-recovery of the Company's actual costs. See Id. PPL's filing is extremely vague regarding the GSC calculation and design. PPL proposes to recover a category of indirect costs through the GSC, which are not specified or quantified in the Petition. See Proposed PPL Electric Pa. P.U.C. No. 201, p. 19Z.2. The Company also fails to provide a projected magnitude of these costs. As the party bearing the burden of proof, PPL must specify the costs it intends to pass through to its customers, explain how those costs are to be allocated between the rate classes, and establish that the resulting rates comply with Section 2807(e)(3), 66 Pa.C.S. § 2807(e)(3). Depending on the types and magnitude of the "indirect" costs, it may also be appropriate to examine whether a "migration rider" similar to those used by Pennsylvania natural gas distribution companies must be included in the GSC to ensure that any shopping customer receives an appropriate portion of any over-collection when that customer was on POLR service, and conversely pays its appropriate share of any under-collection. PPL should be required in this proceeding to clarify the language of this provision and ensure that the GSC is applied in a just and reasonable manner.

11. Transmission Service Charge: PPLICA also objects to PPL's proposed TSC. Under the Company's proposal, the wholesale POLR suppliers will include transmission in their "all-in" bids for the fixed price POLR customers. See Petition, p. 19. PPL will procure from PJM transmission service only for hourly LMP customers. See Petition, p. 29. PPL's proposed tariff language for the TSC, however, appears to apply to all customers purchasing POLR

service. See Proposed PPL Electric Pa. P.U.C. No. 201, p. 19Z. In addition, PPL proposes to add language to the TSC authorizing the Company to recover not only charges billed by PJM Interconnection, LLC ("PJM"), but also unspecified charges from wholesale suppliers. See id. After review of the Company's proposed tariff language, PPLICA remains unclear regarding exactly what charges the Company intends to pass through, and what measures will be taken to ensure that these charges are applied to the GSC for the correct class. PPLICA also asserts that PPL's proposed kWh allocation of the TSC is wholly inappropriate given the impact that the TSC will have on shopping customers.³ Recognizing that impact, the Commission should require PPL to assign TSC costs on a demand basis to ensure proper allocation among customer classes. Lacking the specific details discussed above, the Commission, as well as interested parties, are unable to accurately evaluate the Company's total proposal. Thus, PPLICA requests full evidentiary hearings in a proceeding through which to determine the reasonableness of PPL's proposal.

12. Rate IS-T and IS-P Elimination: PPLICA objects to the removal of Rate Schedules IS-T and IS-P and/or the interruptible supply service offering to those customers, if that is in fact the Company's proposal. PPL's Petition states that it will discontinue some "legacy" DSR programs with unique pricing and small numbers of customers. See Petition, p. 23. Although this decision may impact a small number of customers, that impact will be severely adverse and those customers most adversely impacted are among the most critical

³ Resulting from an appeal of PPL's 2004 base rate proceeding, Docket No. R-00049255, the Commonwealth Court recently rejected PPL's proposed kWh allocation, and remanded the issue to the PUC for reconsideration of the TSC design. See William R. Lloyd, Jr., Small Business Advocate v. Pennsylvania Public Utility Commission; Docket No. 127 C.D. 2005 (Pa. Commw. Ct. Aug. 4, 2006). PPLICA asserts the only supportable decision on remand is adoption of the cost-based allocation and rate design as advocated by PPLICA in the 2004 distribution rate case. This decision by the Commission on remand would eliminate one of PPLICA's objections to the TSC proposal in the CBP.

segments of industry that is necessary for the continue economic welfare of Pennsylvania. The substantially flawed DSI Rider is not an adequate substitute. It is unclear to PPLICA, as no substantive explanation is provided by the Company, why PPL is "unable" to continue these rate schedules. PPL simply states that it is impractical to obtain POLR supply for these programs. See Petition, p. 23. These rate options exist today and were included in PPL's last RFP for wholesale POLR supply. In addition, Rate IS-T and IS-P customers receive interruptible distribution service from PPL in exchange for a rate discount. Even if these customers purchase generation supply from an EGS, they have an obligation to PPL to curtail supply during PJM emergencies and for localized distribution emergencies. See Petition of PP&L Industrial Customer Alliance for Declaratory Order Prohibiting Implementation of Tariff Interpretation Change for Billing PP&L Rate Schedules IS-P and IS-T Customers, or in the Alternative, Formal Complaint; Docket No. P-00001788 (July 20, 2001). PPLICA sees no readily apparent reason that prevents PPL from offering bidders on the Large C&I wholesale product the opportunity to call on the Active Load Management resources under these rate schedules, in return for a market-based credit for those customers.⁴ PPL does not explain why this opportunity could not be offered to wholesale suppliers, provided that PPL gives up its rights to require interruption. PPL's proposal to eliminate Rate Schedules IS-T and IS-P (or the interruptible supply service available thereunder) must be rejected.

13. Price Response Service: PPL currently offers a PRS permitting customers with the capabilities to purchase a portion of their load at a day-ahead LMP. It is not clear from the

⁴ The economic interruption obligation can be eliminated or also be offered to the wholesale supplier. PPL should have no continuing opportunity to exercise either the emergency or economic interruption and their interruption opportunity must be limited to localized distribution-related events.

Company's Petition whether the PRS will continue. PPLICA specifically requests that this program be continued in any CBP approved by the Commission.

14. Demand Side Initiative Rider: In the Petition, PPL proposes to extend the availability of its Demand Side Initiative ("DSI") Rider for commercial and industrial DSR programs through the end of 2010. See Petition, p. 22. PPLICA vehemently opposes the continuation of the current program unless it is substantially revised. Under PPLICA's understanding of this program, a customer must designate a percentage of its load, in 10% increments, to be supplied during the year at "Market Price," which is determined by PPL based on its Marginal Energy Cost and a Loss Adjustment Factor.⁵ PPL also charges the customer a Market Adjustment Factor of 25% for any incremental or decremental energy usage. To the extent a customer decreases its actual usage subject to the Market Price during a given hour in comparison to market usage, it will receive a credit from PPL based on the kWh reduction times 75% of the Market Price for the hour. To the extent the customer increases usage that is subject to the Market Price in an hour in comparison to historic usage, the customer will be charged 125% times the Market Price for the incremental usage. PPLICA asserts that this program is wholly unworkable and offers only minimal value to customers. The program is unattractive to customers because of the requirement to designate a load percentage for an entire year, the Market Adjustment factor mark-up or markdown of PJM prices, and the amount of risk shouldered only by the customers to adjust to fluctuations in real time prices. In addition, this is not a viable option for IS-T, IS-P, or Price Response customers and should not be expected to operate as a substitute for these programs. PPLICA specifically requests that the Commission fully investigate the DSI Rider as part of this proceeding and, if the rider will continue, modify

⁵ Marginal Energy Cost is an hourly marginal cost based on the PJM LMP and PPL Zone.


the program structure to make it a more attractive and understandable option for Large C&I customers.

15. Hourly Locational Marginal Price Option: Under PPL's proposal, Large C&I customers who fail to elect fixed-price service will receive an hourly LMP service. See Petition, p. 21. PPL, however, fails to define anywhere in its filing how the precise pricing of this service will be calculated. For example, there are a variety of capacity products available from PJM for customers on this service. It is unclear whether PPL will use a daily, monthly, seasonal, or annual capacity product. The extent of the Company's explanation is limited to one sentence, "[i]f such a customer (Large C&I) does not select the fixed rate option and returns to POLR service during 2010, the Company will charge that customer the hourly Locational Marginal Price ("LMP") for POLR service." The Commission simply cannot approve this incomplete iteration of PPL's proposal. Both the Commission and interested parties clearly need more than a single sentence to accurately evaluate the impact of such a major rate design change.

WHEREFORE, the PP&L Industrial Customer Alliance respectfully requests that the Commission: (1) institute an investigation and order full evidentiary hearings regarding PPL's August 2, 2006, filing; (2) require the Company to supply testimony in support of the claims made in the Petition forthwith; (3) recognize that to the extent that these necessary proceedings cannot be accomplished in the time frame proposed by PPL, that timeframe must therefore be extended to permit interested parties the appropriate due process to address this important filing; and (4) make such modifications to the proposal as outlined herein to ensure it complies with the Public Utility Code and otherwise is in the public interest.

Respectfully submitted,

McNEES WALLACE & NURICK LLC

By 

David M. Kleppinger (Pa. I.D. 2091)
Pamela C. Polacek (Pa. I.D. 78276)
Adam L. Benshoff (Pa. I.D. 200498)
100 Pine Street
P. O. Box 1166
Harrisburg, PA 17108-1166
Phone: (717) 232-8000
Fax: (717) 237-5300

Counsel to the PP&L Industrial Customer Alliance

Dated: August 28, 2006

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

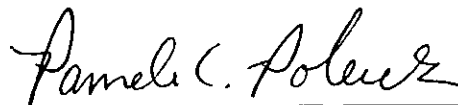
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VIA FACSIMILE AND FEDERAL EXPRESS

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



Pamela C. Polacek

Counsel to the PP&L Industrial Customer Alliance

Dated this 28th day of August, 2006, at Harrisburg, Pennsylvania.

SECRETARY'S BUREAU
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Gretchen Schott
Senior Counsel
713-497-6933

1000 Main Street
Houston, Texas 77002

ORIGINAL

August 28, 2006

VIA FEDERAL EXPRESS

Mr. James J. McNulty, Esquire
Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
Harrisburg, Pennsylvania 17120

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AUG 28 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**RE: Docket No. P-00062227
Petition of PPL Electric Utilities Corporation
Petition to Intervene of Reliant Energy, Inc.**

Dear Secretary McNulty:

Enclosed please find an original and three copies of the Petition to Intervene, Answer and New Matter and Motion to Dismiss of Reliant Energy, Inc.

As indicated on the certificate of service, a copy has been provided to the parties in the manner indicated.

Very truly yours,

RELIANT ENERGY, INC.

Gretchen Schott, Esquire
Senior Counsel

Enclosure

cc: Service List

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DOCKETED

AUG 29 2006

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Re: Petition of PPL Electric Utilities :
Corporation for Approval of a : Docket No. P-00062227
Competitive Bridge Plan :

**PETITION TO INTERVENE OF
RELIANT ENERGY, INC.**

Pursuant to the provisions of 52 Pa. Code §§ 5.71-5.76, Reliant Energy, Inc. ("Petitioner" or "Reliant"), by and through its attorney, Gretchen Schott, Esquire, hereby files this Petition to Intervene in the above-referenced docket, and in support thereof avers as follows:

1. The name and address of Petitioner are:

Reliant Energy, Inc.
c/o Mark Baird
7642 W. 450N
Sharpsville, IN 46068

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

2. The name and address of Petitioner's Attorney is:

Gretchen Schott, Esquire
Reliant Energy
1000 Main Street
Houston, TX 77002

Reliant's attorney is authorized to accept service on behalf of Petitioner in this proceeding. Reliant requests that the Pennsylvania Public Utility Commission ("Commission") and all parties of record serve copies of all pleadings, discovery requests and answers, correspondence, Commission Orders and any other documents issued, on Reliant and its attorney.

3. Reliant provides electricity and energy services to wholesale customers in Pennsylvania as well as in other states. The Company has more than 16,000 megawatts of power generation capacity in operation in North America.

4. Reliant provides retail service to approximately 1.9 million customers nationwide, with sales of approximately 68,000 GWhs.

5. Reliant is a licensed Electric Generation Supplier (“EGS”) in the Commonwealth of Pennsylvania and owns generation in Pennsylvania.

6. On August 2, 2006, PPL Electric Utilities Corporation (“PPL”) filed a *Petition of PPL Electric Utilities Corporation for Approval of a Competitive Bridge Plan* (“Petition”).

PPL’s Petition requests Commission approval of a plan to supply provider of last resort (“POLR”) service during 2010.

7. PPL proposes to procure the electric energy to serve its POLR customers during 2010 by conducting a series of six individual procurements over three years, starting in 2007. PPL further proposes to recover the blended costs of these procurements from its retail customers on a dollar-for-dollar basis through a fully reconcilable rate mechanism.

8. PPL requests the Commission to approve the proposed Competitive Bridge Plan by no later than January 31, 2007.

9. On August 12, 2006, notice of this proceeding was published in the *Pennsylvania Bulletin*, with a deadline to file formal protests and Petitions to Intervene by no later than August 28, 2006.

10. As the owner of generation assets in Pennsylvania, as well as a licensed EGS and a supplier of electricity to wholesale customers in Pennsylvania, Reliant has a substantial interest in participating in any formal or informal proceedings which may result from the Commission’s consideration of the Petition.

11. Reliant believes that no party can or will adequately protect its interests in this proceeding.

12. Reliant requests that it be permitted to intervene in this matter and that it be placed on the service list.

WHEREFORE, for all the foregoing reasons, Reliant Energy, Inc. requests that the Pennsylvania Public Utility Commission grant its Petition to Intervene in any and all proceedings instituted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gretchen Schott", written over a horizontal line.

Gretchen Schott
Senior Counsel
Reliant Energy, Inc.
1000 Main Street
Houston, TX 77002

Attorney for RELIANT ENERGY, INC.

Dated: August 28, 2006

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Re: Petition of PPL Electric Utilities :
Corporation for Approval of a : Docket No. P-00062227
Competitive Bridge Plan :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), via United States Mail upon the persons listed below:

Dated this 28th day of August 2006.

RECEIVED

AUG 28 2006

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

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

AUG 28 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Re: Petition of PPL Electric Utilities :
Corporation for Approval of a : Docket No. P-00062227
Competitive Bridge Plan :

ANSWER AND NEW MATTER

NOW COMES Reliant Energy, Inc. ("Reliant") by and through its counsel, Gretchen Schott, Esquire, who files this Answer and New Matter to the Petition of PPL Electric Utilities Corporation for Approval of a Competitive Bridge Plan.

On August 2, 2006 PPL Electric Utilities Corporation ("PPL") filed its Petition seeking approval of a Competitive Bridge Plan to establish the terms and conditions under which PPL will supply Provider of Last Resort ("POLR") service during 2010.

On August 12, 2006, notice of the Petition was published in the *Pennsylvania Bulletin*, requiring Petitions to Intervene to be filed on or before August 28, 2006.

Pursuant to the provisions of 52 Pa. Code §§ 5.61(e) and 5.62, Reliant hereby files this Answer and New Matter in the above-referenced docket and in support thereof avers as follows:

1. Reliant opposes the Petition as unnecessary and inconsistent with fundamental principles of administrative economy. The Commission is well into the process of promulgating rules ("Proposed Regulations") to define the POLR obligations for electric distribution companies ("EDCs") to serve retail customers at the conclusion of their respective transition periods. Reliant objects to the Petition's requested waiver of the requirements of the Proposed Regulations before the Commission has had a complete opportunity to fully develop said regulations.

2. Reliant is a licensed Electric Generation Supplier (“EGS”) in the Commonwealth of Pennsylvania and owns generation in Pennsylvania. Reliant provides electricity and energy services to wholesale customers in Pennsylvania as well as in other states and provides retail service to approximately 1.9 million customers nationwide, with sales of approximately 68,000 GWhs. As the owner of generation assets in Pennsylvania, as well as a licensed EGS and a supplier of electricity to wholesale customers in Pennsylvania, Reliant has a substantial interest in participating in any formal or informal proceedings which may result from the Commission’s consideration of the Petition. No party can or will adequately protect the interests of Reliant in this proceeding. A Petition to Intervene is being filed simultaneously with this Answer and New Matter. In the event that the Petition is litigated, Reliant’s position will be consistent with its position in the *POLR Rulemaking* docket¹.

3. The Proposed Regulations to define the obligation of the EDCs to serve retail customers at the conclusion of the various transition periods is well underway. The Proposed Regulations and associated comments are comprehensive and address POLR procurement and rate issues. After due consideration of these comments, the Commission has expressed its intent to issue final rules well in advance of the expiration of PPL’s existing rate caps. Indeed, the Proposed Regulations will be in place no later than April 2008²--well before PPL’s 2010 POLR obligations. Finally, at this late date,

¹ *Rulemaking re: Electric Distribution Companies’ Obligation to Serve Retail Customers at the Conclusion of the Transition Period Pursuant to 66 Pa C.S. §2807(e)(2)*, Docket Nos. L-00040169 and M-00041792.

² As a result of the Commission seeking additional comments in the Proposed Rulemaking docket, the deadline for completion of the POLR Regulations is now April 7, 2008; Letter from Independent Regulatory Review Commission dated May 8, 2006; IRRC #2463.

the Commission should only consider requests for waivers of its regulations after final rules have been promulgated.

NEW MATTER

1. On January 1, 1997, the Electricity Generation Customer Choice And Competition Act (the “Act”) became effective, adding Chapter 28 to the Public Utility Code, 66 Pa. C.S. §2801, *et seq.* The Act deregulated the generation of electricity, established certain caps on rates charged by EDCs and permitted EDCs to recover stranded costs during transition periods that extend, in some cases, until the end of 2010. Section 2807(e)(1) required each EDC to provide POLR service for its non-shopping customers until the end of the EDC’s transition period.
2. The Commission entered an Order establishing interim guidelines to define the obligation to serve retail customers shortly after the passage of the Act. *Interim Guidelines Addressing Electric Distribution Companies’ Activities Relating to Their Provider of Last Resort Functions*, Docket No. M-00960890F0017 (Opinion and Order entered November 19, 1998)(“*Interim Guidelines Order*”).
3. Subsequent to the *Interim Guidelines Order*, the Commission convened a POLR Working Group via a Secretarial Letter issued on August 2, 2000. The purpose of this Working Group was to solicit input from interested stakeholders on the scope of final POLR regulations and to provide a forum for the exchange of ideas.
4. In early 2004, the Commission established a POLR Roundtable for the discussion of all relevant POLR issues and stated that it would promulgate a Notice of

Proposed Rulemaking after the conclusion of the meetings. The Commission prepared a POLR issues list for public distribution and invited comments on these issues from all interested parties.

5. In accordance with Section 2807(e)(2) of the Public Utility Code, 66 Pa. C.S. §2807(e)(2), the Commission formally commenced its rulemaking process to define the obligation of EDCs to serve retail customers at the conclusion of their respective transition periods. *Rulemaking re: Electric Distribution Companies' Obligation to Serve Retail Customers at the Conclusion of the Transition Period Pursuant to 66 Pa C.S. §2807(e)(2)*, Docket Nos. L-00040169 and M-00041792 (Order entered December 16, 2004) ("*POLR Rulemaking Order*"). The proposed Regulations are comprehensive and address POLR procurement and rate issues.

6. The intent of Section 2807(e) of the Act is to ensure that electric energy is delivered to retail customers who do not receive generation service from an alternative EGS. Specifically, this includes services provided to customers who do not seek service through an alternative supplier, those who are unable to obtain service from an alternative supplier, those who contracted for electric service which is not delivered by an alternative supplier, and all those who terminate service with or whose service is terminated by an alternative supplier. *POLR Rulemaking Order* at 4.

7. The Commission has recognized that the proposed design of POLR service is the most important task remaining for the Commission in implementation of the provisions of the Act. Further, the Commission recognized that an appropriately crafted regulatory framework for POLR service will serve the public interest by fostering a robust retail market for electricity. *POLR Rulemaking Order* at 4.

8. On January 1, 2011, the transition periods end for the following major EDCs in Pennsylvania – Metropolitan Edison Company, Pennsylvania Electric Company, PECO Energy Company and West Penn Power Company.

9. To meet its POLR obligations within the rate cap constraints, PPL issued a request for proposals to obtain, through a competitive bidding process, the required supply of energy and capacity. Its affiliate, PPL EnergyPlus, was the winning bidder. By its terms of agreement, the contract between PPL and its affiliate will terminate December 2009.

10. On January 1, 2010, the transition period ends for PPL. As a result, PPL must obtain the supply needed to meet its 2010 POLR obligations from the competitive market. The Commission is fully aware of this timeframe and the current schedule will permit POLR regulations to be in place in ample time for PPL to meet its 2010 POLR obligations. In fact, pursuant to the schedule approved by the Independent Regulatory Review Commission, the Commission must issue a final rulemaking no later than April 7, 2008.

11. The Commission's rulemaking is well underway with Proposed Regulations currently in the review process. Extensive and comprehensive comments have been filed to the Proposed POLR Regulations. Furthermore, the Commission in its Proposed Regulations advocates a POLR service model that avoids administrative determinations and gives a preference to market solutions. POLR Rulemaking Order at 5.

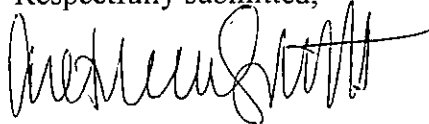
12. PPL seeks a waiver of those regulations to the extent necessary to honor any agreements for the 2010 POLR supply under its Competitive Bridge Plan.

13. Administrative economy, as well as the development of a robust competitive market, is best served by the Commission and interested parties focusing on finalizing the POLR Regulations and the implementation of those regulations which will affect all statewide POLR obligations. On the eve of the issuance of a final rulemaking, it is contrary to the public interest to engage in piecemeal promulgation of the rules through adversarial proceedings. Rather, the Commission should continue with its deliberative process and reject PPL's request.

14. PPL's Petition is redundant in that the Final Regulations will cover any issue brought about by the anomaly of PPL's POLR obligations for the year 2010.

WHEREFORE, for all of the reasons set forth herein, Reliant Energy, Inc. respectfully requests that Your Honorable Commission dismiss the Petition of PPL Electric Utilities Corporation for Approval of a Competitive Bridge Plan, as being inconsistent with the public interest and fundamental principles of administrative economy.

Respectfully submitted,



Gretchen Schott
Senior Counsel
Reliant Energy, Inc.
1000 Main Street
Houston, TX 77002
(713) 497-6933
gschott@reliant.com

Attorney for Reliant Energy, Inc.

Dated: August 28, 2006

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Re: Petition of PPL Electric Utilities :
Corporation for Approval of a : Docket No. P-00062227
Competitive Bridge Plan :

RECEIVED

AUG 28 2006

CERTIFICATE OF SERVICE

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

I hereby certify that I have this day served a true copy of the foregoing document upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), via United States Mail upon the persons listed below:

Dated this 28th day of August 2006.

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

David B. MacGregor, Esquire
Post and Schell, PC
Four Penn Center
1600 John F. Kennedy Blvd.
Philadelphia, PA 19103-2921

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BEFORE THE
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SECRETARY'S BUREAU

Re: Petition of PPL Electric Utilities :
Corporation for Approval of a : Docket No. P-00062227
Competitive Bridge Plan :

MOTION TO DISMISS

NOW COMES Reliant Energy, Inc. ("Reliant") by and through its counsel, Gretchen Schott, who files this Motion to Dismiss the Petition of PPL Electric Utilities for Approval of a Competitive Bridge Plan.

On August 2, 2006 PPL Electric Utilities Corporation ("PPL") filed its Petition seeking approval of a Competitive Bridge Plan to establish the terms and conditions under which PPL will supply Provider of Last Resort ("POLR") service during 2010.

On August 12, 2006, notice of the Petition was published in the *Pennsylvania Bulletin*, requiring Petitions to Intervene to be filed on or before August 28, 2006.

Pursuant to the provisions of 52 Pa. Code § 5.103, Reliant hereby files this Motion to Dismiss in the above-referenced docket and in support thereof avers as follows:

1. Reliant is a licensed Electric Generation Supplier ("EGS") in the Commonwealth of Pennsylvania and owns generation in Pennsylvania. Reliant provides electricity and energy services to wholesale customers in Pennsylvania as well as in other states and provides retail service to approximately 1.9 million customers nationwide, with sales of approximately 68,000 GWhs. As the owner of generation assets in Pennsylvania, as well as a licensed EGS and a supplier of

electricity to wholesale customers in Pennsylvania, Reliant has a substantial interest in participating in any formal or informal proceedings which may result from the Commission's consideration of the Petition.

2. A Petition to Intervene, Answer and New matter are being simultaneously filed with this Motion to Dismiss, a copy of which is attached as Attachment 1.
3. Reliant opposes the Petition as unnecessary and inconsistent with fundamental principles of administrative economy. The Commission is well into the process of promulgating rules ("Proposed Regulations") to define the POLR obligations for electric distribution companies ("EDCs") to serve retail customers at the conclusion of their respective transition periods. Reliant objects to the Petition's requested waiver of the requirements of the Proposed Regulations before the Commission has had a complete opportunity to fully develop said regulations. In the event that the Petition is litigated, Reliant's position will be consistent with its position in the *POLR Rulemaking* docket¹.
4. On January 1, 1997, the Electricity Generation Customer Choice and Competition Act (the "Act") became effective, adding Chapter 28 to the Public Utility Code, 66 Pa. C.S. §2801, *et seq.* The Act deregulated the generation of electricity, established certain caps on rates charged by EDCs and permitted EDCs to recover stranded costs during transition periods that extend, in some cases, until the end of 2010. Section 2807(e)(1) required each EDC to provide POLR service for its non-shopping customers until the end of the EDC's transition period.

¹ *Rulemaking re: Electric Distribution Companies' Obligation to Serve Retail Customers at the Conclusion of the Transition Period Pursuant to 66 Pa C.S. §2807(e)(2)*, Docket Nos. L-00040169 and M-00041792.

5. The Commission entered an Order establishing interim guidelines to define the obligation to serve retail customers shortly after the passage of the Act. *Interim Guidelines Addressing Electric Distribution Companies' Activities Relating to Their Provider of Last Resort Functions*, Docket No. M-00960890F0017 (Opinion and Order entered November 19, 1998)(“*Interim Guidelines Order*”).
6. Subsequent to the *Interim Guidelines Order*, the Commission convened a POLR Working Group via a Secretarial Letter issued on August 2, 2000. The purpose of this Working Group was to solicit input from interested stakeholders on the scope of final POLR regulations and to provide a forum for the exchange of ideas.
7. In early 2004, the Commission established a POLR Roundtable for the discussion of all relevant POLR issues and stated that it would promulgate a Notice of Proposed Rulemaking after the conclusion of the meetings. The Commission prepared a POLR issues list for public distribution and invited comments on these issues from all interested parties.
8. In accordance with Section 2807(e)(2) of the Public Utility Code, 66 Pa. C.S. §2807(e)(2), the Commission formally commenced its rulemaking process to define the obligation of EDCs to serve retail customers at the conclusion of their respective transition periods. *Rulemaking re: Electric Distribution Companies' Obligation to Serve Retail Customers at the Conclusion of the Transition Period Pursuant to 66 Pa C.S. §2807(e)(2)*, Docket Nos. L-00040169 and M-00041792 (Order entered December 16, 2004) (“*POLR Rulemaking Order*”).
9. The Proposed Regulations that define the obligation of the EDCs to serve retail customers at the conclusion of the various transition periods is well underway.

The Proposed Regulations and associated comments are comprehensive and address POLR procurement and rate issues. After due consideration of these comments, the Commission has expressed its intent to issue final rules well in advance of the expiration of PPL's existing rate caps. Indeed, the Proposed Regulations will be in place no later than April 2008²--well before PPL's 2010 POLR obligations. Finally, at this late date, the Commission should only consider requests for waivers of its regulations after final rules have been promulgated.

10. The intent of Section 2807(e) of the Act is to ensure that electric energy is delivered to retail customers who do not receive generation service from an alternative EGS. Specifically, this includes services provided to customers who do not seek service through an alternative supplier, those who are unable to obtain service from an alternative supplier, those who contracted for electric service which is not delivered by an alternative supplier, and all those who terminate service with or whose service is terminated by an alternative supplier. *POLR Rulemaking Order* at 4.
11. The Commission has recognized that the proposed design of POLR service is the most important task remaining for the Commission in implementation of the provisions of the Act. Further, the Commission recognized that an appropriately crafted regulatory framework for POLR service will serve the public interest by fostering a robust retail market for electricity. *POLR Rulemaking Order* at 4.

² As a result of the Commission seeking additional comments in the Proposed Rulemaking docket, the deadline for completion of the POLR Regulations is now April 7, 2008 pursuant to the letter from the Independent Regulatory Review Commission dated May 8, 2006, IRRR #3463.

12. On January 1, 2011, the transition periods end for the following major EDCs in Pennsylvania – Metropolitan Edison Company, Pennsylvania Electric Company, PECO Energy Company and West Penn Power Company.
13. To meet its POLR obligation within the rate cap constraints, PPL issued a request for proposals to obtain, through a competitive bidding process, the required supply of energy and capacity. Its affiliate, PPL EnergyPlus, was the winning bidder. By its terms of agreement, the contract between PPL and its affiliate will terminate December 2009.
14. On January 1, 2010, the transition period ends for PPL. As a result, PPL must obtain the supply needed to meet its 2010 POLR obligations from the competitive market. The Commission is fully aware of this timeframe and the current schedule will permit POLR regulations to be in place in ample time for PPL to meet its 2010 POLR obligations. In fact, pursuant to the schedule approved by the Independent Regulatory Review Commission, the Commission must issue a final rulemaking no later than April 7, 2008.
15. The Commission's rulemaking is well underway with Proposed Regulations currently in the review process. Extensive and comprehensive comments have been filed to the Proposed POLR Regulations. Furthermore, the Commission in its Proposed Regulations advocates a POLR service model that avoids administrative determinations and gives a preference to market solutions. *POLR Rulemaking Order* at 5.
16. PPL seeks a waiver of those regulations to the extent necessary to honor any agreements for the 2010 POLR supply under its Competitive Bridge Plan.

17. Administrative economy, as well as the development of a robust competitive market, is best served by the Commission and interested parties focusing on finalizing the POLR Regulations and the implementation of those regulations which will affect all statewide POLR obligations. On the eve of the issuance of a final rulemaking, it is contrary to the public interest to engage in piecemeal promulgation of the rules through adversarial proceedings. Rather, the Commission should continue with its deliberative process and reject PPL's request.

18. PPL's Petition is redundant in that the Final Regulations will cover any issue brought about by the anomaly of PPL's POLR obligations for the year 2010.

WHEREFORE, for all of the reasons set forth herein, Reliant Energy, Inc. respectfully request that Your Honorable Commission grants its Motion to Dismiss and dismiss the Petition of PPL Electric Utilities Corporation for Approval of a Competitive Bridge Plan as being inconsistent with the public interest and fundamental principles of administrative economy.

Respectfully submitted,

By: 

Gretchen Scholt
Senior Counsel
Reliant Energy, Inc.
1000 Main Street
Houston, Texas 77002
717-497-6933

Attorney for Reliant Energy, Inc.

Dated: August 28, 2006

ATTACHMENT 1

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AUG 28 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Re: Petition of PPL Electric Utilities :
Corporation for Approval of a : Docket No. P-00062227
Competitive Bridge Plan :

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**PETITION TO INTERVENE OF
RELIANT ENERGY, INC.**

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Pursuant to the provisions of 52 Pa. Code §§ 5.71-5.76, Reliant Energy, Inc. ("Petitioner" or "Reliant"), by and through its attorney, Gretchen Schott, Esquire, hereby files this Petition to Intervene in the above-referenced docket, and in support thereof avers as follows:

1. The name and address of Petitioner are:

Reliant Energy, Inc.
c/o Mark Baird
7642 W. 450N
Sharpsville, IN 46068

2. The name and address of Petitioner's Attorney is:

Gretchen Schott, Esquire
Reliant Energy
1000 Main Street
Houston, TX 77002

Reliant's attorney is authorized to accept service on behalf of Petitioner in this proceeding. Reliant requests that the Pennsylvania Public Utility Commission ("Commission") and all parties of record serve copies of all pleadings, discovery requests and answers, correspondence, Commission Orders and any other documents issued, on Reliant and its attorney.

3. Reliant provides electricity and energy services to wholesale customers in Pennsylvania as well as in other states. The Company has more than 16,000 megawatts of power generation capacity in operation in North America.

4. Reliant provides retail service to approximately 1.9 million customers nationwide, with sales of approximately 68,000 GWhs.

5. Reliant is a licensed Electric Generation Supplier ("EGS") in the Commonwealth of Pennsylvania and owns generation in Pennsylvania.

6. On August 2, 2006, PPL Electric Utilities Corporation ("PPL") filed a *Petition of PPL Electric Utilities Corporation for Approval of a Competitive Bridge Plan* ("Petition").

PPL's Petition requests Commission approval of a plan to supply provider of last resort ("POLR") service during 2010.

7. PPL proposes to procure the electric energy to serve its POLR customers during 2010 by conducting a series of six individual procurements over three years, starting in 2007. PPL further proposes to recover the blended costs of these procurements from its retail customers on a dollar-for-dollar basis through a fully reconcilable rate mechanism.

8. PPL requests the Commission to approve the proposed Competitive Bridge Plan by no later than January 31, 2007.

9. On August 12, 2006, notice of this proceeding was published in the *Pennsylvania Bulletin*, with a deadline to file formal protests and Petitions to Intervene by no later than August 28, 2006.

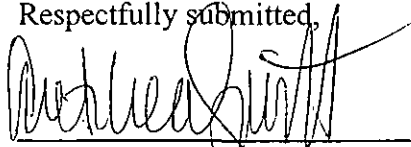
10. As the owner of generation assets in Pennsylvania, as well as a licensed EGS and a supplier of electricity to wholesale customers in Pennsylvania, Reliant has a substantial interest in participating in any formal or informal proceedings which may result from the Commission's consideration of the Petition.

11. Reliant believes that no party can or will adequately protect its interests in this proceeding.

12. Reliant requests that it be permitted to intervene in this matter and that it be placed on the service list.

WHEREFORE, for all the foregoing reasons, Reliant Energy, Inc. requests that the Pennsylvania Public Utility Commission grant its Petition to Intervene in any and all proceedings instituted.

Respectfully submitted,



Gretchen Schott
Senior Counsel
Reliant Energy, Inc.
1000 Main Street
Houston, TX 77002

Attorney for RELIANT ENERGY, INC.

Dated: August 28, 2006

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Re: Petition of PPL Electric Utilities :
Corporation for Approval of a : Docket No. P-00062227
Competitive Bridge Plan :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), via United States Mail upon the persons listed below:

Dated this 28th day of August 2006.

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

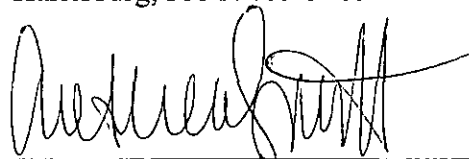
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Re: Petition of PPL Electric Utilities :
Corporation for Approval of a :
Competitive Bridge Plan :

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU
Docket No. P-00062227

ANSWER AND NEW MATTER

NOW COMES Reliant Energy, Inc. ("Reliant") by and through its counsel, Gretchen Schott, Esquire, who files this Answer and New Matter to the Petition of PPL Electric Utilities Corporation for Approval of a Competitive Bridge Plan.

On August 2, 2006 PPL Electric Utilities Corporation ("PPL") filed its Petition seeking approval of a Competitive Bridge Plan to establish the terms and conditions under which PPL will supply Provider of Last Resort ("POLR") service during 2010.

On August 12, 2006, notice of the Petition was published in the *Pennsylvania Bulletin*, requiring Petitions to Intervene to be filed on or before August 28, 2006.

Pursuant to the provisions of 52 Pa. Code §§ 5.61(e) and 5.62, Reliant hereby files this Answer and New Matter in the above-referenced docket and in support thereof avers as follows:

1. Reliant opposes the Petition as unnecessary and inconsistent with fundamental principles of administrative economy. The Commission is well into the process of promulgating rules ("Proposed Regulations") to define the POLR obligations for electric distribution companies ("EDCs") to serve retail customers at the conclusion of their respective transition periods. Reliant objects to the Petition's requested waiver of the requirements of the Proposed Regulations before the Commission has had a complete opportunity to fully develop said regulations.

2. Reliant is a licensed Electric Generation Supplier (“EGS”) in the Commonwealth of Pennsylvania and owns generation in Pennsylvania. Reliant provides electricity and energy services to wholesale customers in Pennsylvania as well as in other states and provides retail service to approximately 1.9 million customers nationwide, with sales of approximately 68,000 GWhs. As the owner of generation assets in Pennsylvania, as well as a licensed EGS and a supplier of electricity to wholesale customers in Pennsylvania, Reliant has a substantial interest in participating in any formal or informal proceedings which may result from the Commission’s consideration of the Petition. No party can or will adequately protect the interests of Reliant in this proceeding. A Petition to Intervene is being filed simultaneously with this Answer and New Matter. In the event that the Petition is litigated, Reliant’s position will be consistent with its position in the *POLR Rulemaking* docket¹.

3. The Proposed Regulations to define the obligation of the EDCs to serve retail customers at the conclusion of the various transition periods is well underway. The Proposed Regulations and associated comments are comprehensive and address POLR procurement and rate issues. After due consideration of these comments, the Commission has expressed its intent to issue final rules well in advance of the expiration of PPL’s existing rate caps. Indeed, the Proposed Regulations will be in place no later than April 2008²--well before PPL’s 2010 POLR obligations. Finally, at this late date,

¹ *Rulemaking re: Electric Distribution Companies’ Obligation to Serve Retail Customers at the Conclusion of the Transition Period Pursuant to 66 Pa C.S. §2807(e)(2)*, Docket Nos. L-00040169 and M-00041792.

² As a result of the Commission seeking additional comments in the Proposed Rulemaking docket, the deadline for completion of the POLR Regulations is now April 7, 2008; Letter from Independent Regulatory Review Commission dated May 8, 2006; IRRR #2463.

the Commission should only consider requests for waivers of its regulations after final rules have been promulgated.

NEW MATTER

1. On January 1, 1997, the Electricity Generation Customer Choice And Competition Act (the “Act”) became effective, adding Chapter 28 to the Public Utility Code, 66 Pa. C.S. §2801, *et seq.* The Act deregulated the generation of electricity, established certain caps on rates charged by EDCs and permitted EDCs to recover stranded costs during transition periods that extend, in some cases, until the end of 2010. Section 2807(e)(1) required each EDC to provide POLR service for its non-shopping customers until the end of the EDC’s transition period.
2. The Commission entered an Order establishing interim guidelines to define the obligation to serve retail customers shortly after the passage of the Act. *Interim Guidelines Addressing Electric Distribution Companies’ Activities Relating to Their Provider of Last Resort Functions*, Docket No. M-00960890F0017 (Opinion and Order entered November 19, 1998)(“*Interim Guidelines Order*”).
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4. In early 2004, the Commission established a POLR Roundtable for the discussion of all relevant POLR issues and stated that it would promulgate a Notice of

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5. In accordance with Section 2807(e)(2) of the Public Utility Code, 66 Pa. C.S. §2807(e)(2), the Commission formally commenced its rulemaking process to define the obligation of EDCs to serve retail customers at the conclusion of their respective transition periods. *Rulemaking re: Electric Distribution Companies' Obligation to Serve Retail Customers at the Conclusion of the Transition Period Pursuant to 66 Pa C.S. §2807(e)(2)*, Docket Nos. L-00040169 and M-00041792 (Order entered December 16, 2004) ("*POLR Rulemaking Order*"). The proposed Regulations are comprehensive and address POLR procurement and rate issues.

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7. The Commission has recognized that the proposed design of POLR service is the most important task remaining for the Commission in implementation of the provisions of the Act. Further, the Commission recognized that an appropriately crafted regulatory framework for POLR service will serve the public interest by fostering a robust retail market for electricity. *POLR Rulemaking Order at 4.*

8. On January 1, 2011, the transition periods end for the following major EDCs in Pennsylvania – Metropolitan Edison Company, Pennsylvania Electric Company, PECO Energy Company and West Penn Power Company.

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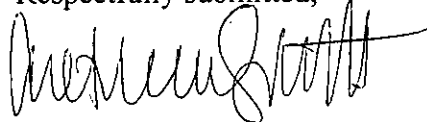
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14. PPL's Petition is redundant in that the Final Regulations will cover any issue brought about by the anomaly of PPL's POLR obligations for the year 2010.

WHEREFORE, for all of the reasons set forth herein, Reliant Energy, Inc. respectfully requests that Your Honorable Commission dismiss the Petition of PPL Electric Utilities Corporation for Approval of a Competitive Bridge Plan, as being inconsistent with the public interest and fundamental principles of administrative economy.

Respectfully submitted,



Gretchen Schott
Senior Counsel
Reliant Energy, Inc.
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(713) 497-6933
gschott@reliant.com

Attorney for Reliant Energy, Inc.

Dated: August 28, 2006

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Re: Petition of PPL Electric Utilities :
Corporation for Approval of a : Docket No. P-00062227
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CERTIFICATE OF SERVICE

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Two North Ninth Street
Allentown, PA 18101

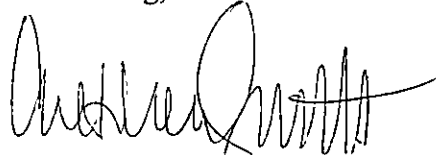
David B. MacGregor, Esquire
Post and Schell, PC
Four Penn Center
1600 John F. Kennedy Blvd.
Philadelphia, PA 19103-2921

Michael W. Hassell, Esquire
Post and Schell, PC
17 North Second Street, 17th Floor
Harrisburg, PA 17101-1601

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

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

Johnnie E. Simms, Director
Office of Trial Staff
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17105-3265



Gretchen Schott, Esquire
For Reliant Energy, Inc.
1000 Main Street
Houston, TX 77002
(713) 497-6933
gschott@reliant.com

MEMO

August 28, 2006

Subject: PPL Electric Utilities Corp. – Petition for Approval of a Competitive Bridge Plan, P-00062227

To: James J. McNulty, Secretary
Secretary's Bureau

From: Robert A. Rosenthal, Director *DR*
Bureau of Fixed Utility Services

ORIGINAL

On August 2, 2006, PPL Electric Utilities Corporation ("PPL") filed a petition for approval of a competitive bridge plan to establish the terms and conditions under PPL to supply provider of last resort service during 2010.

On August 22, 2006, the Office of Trial Staff filed an answer to the petition and requested that the matter be assigned to the Office of Administrative Law Judge ("ALJ"). On August 28, 2006, the Office of Small Business Advocate filed a notice of intervention and requested that the Commission conduct a full investigation, including evidentiary hearings.

The International Brotherhood of Electrical Workers, Local 1600, Constellation NewEnergy, Inc., Constellation Energy Commodities Group and PennFuture have also filed Petitions to Intervene.

Please re-assign PPL's petition at Docket No. P-00062227 to the Office of Administrative Law Judge.

DOCUMENT
FOLDER

DOCKETED
AUG 30 2006

PA P.U.C.
SECRETARY'S BUREAU

2006 AUG 30 PM 1:55

RECEIVED

20

DATE: August 28, 2006
SUBJECT: P-00062227
TO: Bureau of Fixed Utility Services
FROM: James J. McNulty, Secretary *KB*

DOCUMENT FOLDER

Petition of PPL Electric Utilities Corporation for Approval of a
Competitive Bridge Plan

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

This matter is assigned to your Bureau for
appropriate action.

Attachment

cc: LAW

ksb

**DOCUMENT
FOLDER**

DOCKETED
AUG 28 2006

DATE: August 28, 2006

SUBJECT: P-00062227

TO: Bureau of Fixed Utility Services

FROM: James J. McNulty, Secretary *KB*

Petition of PPL Electric Utilities Corporation for Approval of a
Competitive Bridge Plan

Attached is a copy of a Petition to Intervene,
filed by Constellation NewEnergy, Inc. and
Constellation Energy Commodities Group, in connection
with the above docketed proceeding.

This matter is assigned to your Bureau for
appropriate action.

Attachment

cc: LAW

ksb

DOCUMENT
FOLDER

DOCKETED
AUG 28 2006

DATE: August 28, 2006

SUBJECT: P-00062227

TO: Bureau of Fixed Utility Services

FROM: James J. McNulty, Secretary ^{KB}

Petition of PPL Electric Utilities Corporation for Approval of a
Competitive Bridge Plan

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: LAW

ksb

DOCUMENT
FOLDER

DOCKETED
AUG 28 2006

Legal Department

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

Telephone 215.841.5544
Fax 215.568.3389
www.exeloncorp.com

Business Services
Company

Direct Dial: 215-841-5974

August 29, 2006

VIA FED EX

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd floor
Harrisburg, PA 17120

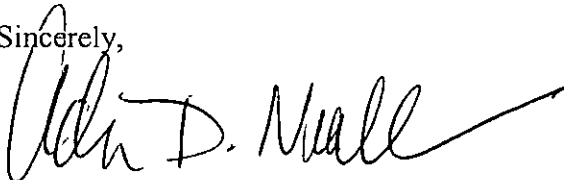
ORIGINAL

**Re: Petition to Intervene Out of Time of Exelon Corporation, PECO Energy & Exelon Generation Company, LLC
Docket No. P-00062227**

Dear Mr. McNulty:

Enclosed are an original and three copies of Petition to Intervene Out of Time of Exelon Corporation, PECO Energy & Exelon Generation Company, LLC for filing in the above referenced matter. Please return a time-stamped copy in the self-addressed stamped envelope.

Sincerely,



Adrian D. Newall
Assistant General Counsel

ADN/jml
Enclosures

DOCUMENT
FOLDER

RECEIVED
AUG 29 2006
PA PUBLIC UTILITY COMMISSION
SECRETARY'S OFFICE

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PPL Electric Utilities Corporation :
: **Docket No. P-0006227**

**PETITION TO INTERVENE OUT OF TIME OF EXELON CORPORATION,
PECO ENERGY COMPANY & EXELON GENERATION COMPANY, LLC**

Pursuant to 52 Pa. Code § 5.71 *et seq.*, Exelon Corporation (“Exelon”), PECO Energy Company (“PECO Energy”) and Exelon Generation Company, LLC (“ExGen”), hereby file this Petition to Intervene Out of Time in the above-captioned proceeding. In support hereof, Exelon states the following:

BACKGROUND

1. Exelon, PECO Energy and ExGen will be represented in this proceeding by the following counsel, who should be placed on the Pennsylvania Public Utilities Commission’s (“Commission”) service list and should receive copies of all correspondence and other documents:

Kent D. Murphy Acting Associate General Counsel Exelon Business Services Company 2301 Market Street, S-23-1 Philadelphia, PA 19103 (215) 841-4941 (215) 568-3389 (fax) kent.murphy@exeloncorp.com	Adrian D. Newall Assistant General Counsel Exelon Business Services Company 2301 Market Street, S-23-1 Philadelphia, PA 19103 (215) 841-5974 (215) 568-3389 (fax) adrian.newall@exeloncorp.com
--	---

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**DOCUMENT
FOLDER**

DOCKETED
AUG 30 2006

AUG 29 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

PETITION TO INTERVENE

2. On August 2, 2006, PPL Electric Utilities Corporation (“PPL”) filed with this Commission a Competitive Bridge Plan (“CBP”) to establish the terms and conditions under which PPL will supply provider of last resort (“POLR”) service during 2010, as a transition to a full competitive statewide market beginning January 1, 2011. Under the proposed CBP, PPL would procure the resources necessary to serve POLR customers who do not choose an alternative electric generation supplier or who do not receive service from an alternative electric supplier during the year 2010, the year PPL’s transition period ends. PPL plans to procure such resources through wholesale market contracts over the next three years. PPL also advocates a statewide auction in the year 2011 when the transition periods of several other EDCs end, including PECO Energy’s. PPL requests that the Commission issue a final order approving their CBP no later than January 31, 2007 so that it is able to issue its initial Request for Proposals (“RFP”) in March 2007.

3. Eligibility to intervene in Commission proceedings is governed by the Commission’s rule at 52 Pa. Code § 5.72. Under this rule, “[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. That right or interest may be: “[a]n interest which may be directly affected and which is not adequately represented by existing parties, and as to which petitioners may be bound by the action of the agency in the proceeding.” Alternatively, the interest may be of such a nature that participation of the petitioner may be in the public interest.

4. Exelon seeks leave to intervene in this proceeding as it, and its subsidiaries, ExGen and PECO Energy, may be directly affected by the outcome of this proceeding. Exelon is a registered holding company located at 10 South Dearborn Street, Chicago, Illinois. Through its subsidiary, PECO Energy, Exelon distributes electricity to approximately 1.5 million customers in Pennsylvania. As an electric distribution company that serves customers in Pennsylvania and as a POLR provider of POLR services in its territory, PECO Energy is interested in, and may be directly affected by, any decision that this Commission may reach with respect to POLR rules or regulations. PECO Energy also is interested in, and will be directly affected by the Commission's ruling on PPL's proposal for a statewide auction. As stated in its filing, PPL developed its CBP to be in effect from 2010-2011, when PECO Energy's transition period expires.

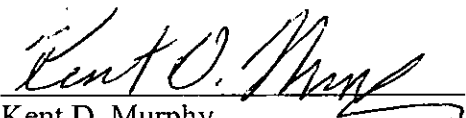
Exelon, through its subsidiary, ExGen, manages a diverse portfolio of natural gas, coal, hydro, nuclear, solar and wind generation. As such, ExGen is a potential participant in the proposed RFP process described in PPL's CBP.

5. No other party can adequately represent Exelon's interests in this proceeding. In addition, Exelon's intervention is only one day out of time. Exelon's intervention at this date will not prejudice the proceeding or any party. Therefore, good cause exists to grant Exelon's intervention and participation in this proceeding as an interested party. Exelon's intervention is in the public interest and should be granted by the Commission.

CONCLUSION

Wherefore, in consideration of the foregoing, Exelon respectfully requests that the Commission enter an order granting Exelon full status as an intervenor in this proceeding.

Respectfully submitted,


Kent D. Murphy
Acting Associate General Counsel
Exelon Business Services Company
2301 Market Street, S-23-1
Philadelphia, PA 19103
(215) 841-4941
(215) 568-3389 (fax)

Counsel for Exelon Corporation

Dated: August 29, 2006

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the participants listed below via First Class Mail in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

Paul E. Russel
Associate General Counsel
PPL Services Ninth Street
Allentown, PA 18101
Counsel for PPL Electric Utilities Corp.

David B. Macgregor, Esquire
Post and Schell, P.C.
Four Penn Center, 1600 John F.
Kennedy Boulevard
Philadelphia, PA 19103-1601
Counsel for PPL Electric Utilities Corp.

Michael W. Hassell, Esquire
Post and Schell, P.C.
17 North Second Street 12th Floor
Harrisburg, PA 17101-1601
Counsel for PPL Electric Utilities Corp.

George Jogovic, Jr.
Senior Attorney
PennFuture
425 Sixth Avenue, Suite 2770
Pittsburgh, PA 15219
Counsel for PennFuture

Scott J. Rubin
Attorney at Law
3 Lost Creek Drive
Selinsgrove, PA 17870
Counsel for International Brotherhood
Electrical Workers

Glenn R. Thomas
Christopher A. Lewis
Blank Rome LLP
One Logan Square
Philadelphia, PA 19103
Counsel for Constellation NewEnergy

Linda R. Evers, Esquire
FirstEnergy
2800 Pottsville Pike, P.O. Box 16001
Reading, PA 19612-6001
Counsel for Met Ed & Penelec

Kathy J. Kolich, Esquire
FirstEnergy
2800 Pottsville Pike, P.O. Box 16001
Reading, PA 19612-6001
Counsel for FirstEnergy Solutions Corp.

Todd S. Stewart
Hawke McKeon Sniscak & Kennard
LLP
100 North Twenty Street
Harrisburg, PA 17101
Counsel for Dominion Retail, Inc.

Kevin J. Moody, Esquire
Daniel Clearfield, Esquire
Wolf Block Schorr & Solis-Cohen LLP
213 Market Street, 9th Floor
Harrisburg, PA 17101
Counsel for Retail Energy Supply Assoc.

RECEIVED

AUG 29 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

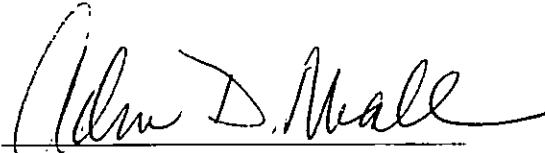
Richard Hudson, Jr.
Mkt Mgr-Regulatory
Strategic Energy, LLC
Two Gateway Center Ninth Floor
Pittsburgh, PA 15222
Counsel for Strategic Energy LLC

D.M. Kleppinger, P.C.
Polacek, A.L. Benschhoff
McNees Wallace & Nurick LLC
P.O. Box 1166, 100 Pine Street
Harrisburg, PA 17108-1166

Counsel for PP&L Industrial Customer
Alliance

Gretchen Schott, Esquire
Reliant Energy
1000 Main Street
Houston, TX 77002
Counsel for Reliant Energy

Respectfully submitted,



Adrian D. Newall
Assistant General Counsel
Exelon Business Services Company
2301 Market Street, S-23-1
Philadelphia, PA 19103
(215) 841-5974
(215) 568-3389 (fax)

Counsel for Exelon Corporation

Dated: August 29, 2006

DATE: August 29, 2006

SUBJECT: P-00062227

TO: Bureau of Fixed Utility Services

FROM: James J. McNulty, Secretary *KB*

Petition of PPL Electric Utilities Corporation for Approval of a
Competitive Bridge Plan

Attached is a copy of a Petition to Intervene and Protest, filed by PP&L Industrial Customer Alliance, in connection with the above docketed proceeding.

This matter is assigned to your Bureau for appropriate action.

Attachment

cc: LAW

ksb

DOCUMENT
FOLDER

DOCKETED
AUG 29 2006

DATE: August 29, 2006

SUBJECT: P-00062227

TO: Bureau of Fixed Utility Services

FROM: James J. McNulty, Secretary *KB*

**DOCUMENT
FOLDER**

Petition of PPL Electric Utilities Corporation for Approval of a
Competitive Bridge Plan

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

This matter is assigned to your Bureau for
appropriate action.

Attachment

cc: LAW

ksb

**DOCUMENT
FOLDER**

DOCKETED
AUG 29 2006

DATE: August 29, 2006

SUBJECT: P-00062227

TO: Bureau of Fixed Utility Services

FROM: James J. McNulty, Secretary *K/B*

Petition of PPL Electric Utilities Corporation for Approval of a
Competitive Bridge Plan

Attached is a copy of a Petition to Intervene, Answer and New Matter and Motion to Dismiss, filed by Reliant Energy, Inc., in connection with the above docketed proceeding.

This matter is assigned to your Bureau for appropriate action.

Attachment

cc: LAW

ksb

DOCUMENT
FOLDER

DOCKETED
AUG 29 2006

DATE: August 29, 2006

SUBJECT: P-00062227

TO: Bureau of Fixed Utility Services

FROM: James J. McNulty, Secretary *KB*

Petition of PPL Electric Utilities Corporation for Approval of a
Competitive Bridge Plan

Attached is a copy of a Petition to Intervene,
filed by FirstEnergy Solutions Corp., in connection
with the above docketed proceeding.

This matter is assigned to your Bureau for
appropriate action.

Attachment

cc: LAW

ksb

DOCUMENT
FOLDER

DOCKETED
AUG 29 2006

DATE: August 29, 2006

SUBJECT: P-00062227

TO: Bureau of Fixed Utility Services

FROM: James J. McNulty, Secretary *KB*

Petition of PPL Electric Utilities Corporation for Approval of a
Competitive Bridge Plan

Attached is a copy of a Petition to Intervene,
filed by Metropolitan Edison Company and Pennsylvania
Electric Company, in connection with the above docketed
proceeding.

This matter is assigned to your Bureau for
appropriate action.

Attachment

cc: LAW

ksb

DOCUMENT
FOLDER

DOCKETED
AUG 29 2006

DATE: August 29, 2006

SUBJECT: P-00062227

TO: Bureau of Fixed Utility Services

FROM: James J. McNulty, Secretary *KB*

Petition of PPL Electric Utilities Corporation for Approval of a
Competitive Bridge Plan

Attached is a copy of a Petition to Intervene and Protest, filed by Retail Energy Supply Association, in connection with the above docketed proceeding.

This matter is assigned to your Bureau for appropriate action.

Attachment

cc: LAW

ksb

DOCUMENT
FOLDER

DOCKETED
AUG 29 2006

DATE: August 29, 2006

SUBJECT: P-00062227

TO: Bureau of Fixed Utility Services

FROM: James J. McNulty, Secretary *KB*

Petition of PPL Electric Utilities Corporation for Approval of a
Competitive Bridge Plan

Attached is a copy of a Petition to Intervene and Protest, filed by Dominion Retail Inc., in connection with the above docketed proceeding.

This matter is assigned to your Bureau for appropriate action.

Attachment

cc: LAW

ksb

DOCUMENT
FOLDER

DOCKETED
AUG 29 2006

COMMONWEALTH OF PENNSYLVANIA

DATE: August 30, 2006
SUBJECT: P-00062227
TO: Office of Administrative Law Judge
FROM: James J. McNulty, Secretary

PPL Electric Utilities Corp. *KB*

Per memo dated August 28, 2006, from Robert A. Rosenthal, Director, Bureau of Fixed Utility Services, the above docketed proceeding is being reassigned to your Office for appropriate action.

ksb

cc: OTS
FUS-memo only

DOCUMENT
FOLDER

DOCKETED
AUG 30 2006

DOCUMENT
FOLDER

ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED
2006 AUG 31 PM 2:41
SECRETARY'S BUREAU

Re: Petition of PPL Electric Utilities :
Corporation for Approval of a : Docket No. P-00062227
Competitive Bridge Plan :

APPLICATION FOR ADMISSION PRO HAC VICE

Ramona C. Cataldi, a member in good standing of the Pennsylvania Bar, requests that, pursuant to 52 Pa. Code § 1.22, and in accordance with Pennsylvania Bar Admission Rule 301, Gretchen Schott be admitted to appear *pro hac vice* as counsel for Intervenor Reliant Energy, Inc. in the above-captioned matter, and in support thereof, states the following:

1. Gretchen Schott is admitted to, and is a member in good standing of, the Bar of the District of Columbia, the Bar of the State of Texas and the Commonwealth of Virginia and an inactive member in good standing of the Bar of the State of Georgia.

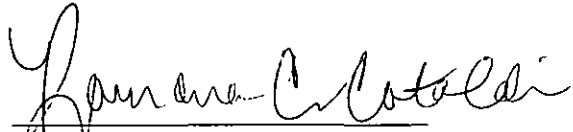
2. Gretchen Schott is also licensed to practice before the U.S. Court of Appeals for the District of Columbia Circuit Court, and the U.S. District Court for the District of Columbia.

3. Gretchen Schott is Senior Counsel for Reliant Energy, and is familiar with the issues involved in this litigation.

4. Ms. Schott's contact information is:

Gretchen Scott, Senior Counsel
Reliant Energy, Inc.
1000 Main Street
Houston, TX 77002
(713) 497-6933

WHEREFORE, Ramona Cataldi, Esquire, on behalf of Gretchen Scott, Esquire, counsel for Intervenor Reliant Energy, Inc. requests that Gretchen Scott, be specially admitted to appear *pro hac vice* in this matter.

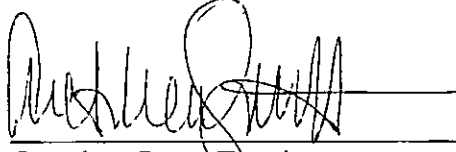


Ramona C. Cataldi, Esquire
PA ID # 66745
BUCHANAN INGERSOLL & ROONEY, PC
17 N. Second Street, 15th Floor
Harrisburg, PA 17101
Telephone: (717) 231-7725
Facsimile: (717) 231-7712
E-mail: ramona.cataldi@bipc.com

Date: August 31, 2006

VERIFICATION

I, Gretchen Schott, Esquire, verify that the statements made in the foregoing Application for Pro Hac Vice Admission are true and correct to the best of my personal knowledge, information, and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsification to authorities.



Gretchen Scott, Esquire
Senior Counsel
Reliant Energy, Inc.
1000 Main Street
Houston, TX 77002
(713) 497-6933

RECEIVED

2006 AUG 31 PM 2:41

PA PUC
SECRETARY'S BUREAU

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Re: Petition of PPL Electric Utilities :
Corporation for Approval of a : Docket No. P-00062227
Competitive Bridge Plan :

RECEIVED
2006 AUG 31 PM 2:41
SECRETARY'S BUREAU

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing Application for Admission Pro Hac Vice upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 31st day of August 2006.

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

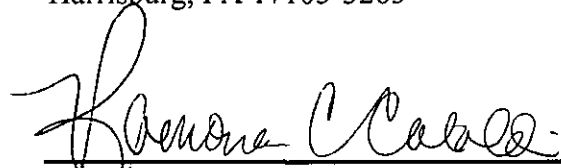
David B. MacGregor, Esquire
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1600 John F. Kennedy Blvd.
Philadelphia, PA 19103-2921

Michael W. Hassell, Esquire
Post and Schell, PC
17 North Second Street, 17th Floor
Harrisburg, PA 17101-1601

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

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

Johnnie E. Simms, Director
Office of Trial Staff
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17105-3265



Ramona C. Cataldi

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

Petition of PPL Electric Utilities :
Corporation for Approval of a : Docket No. P-00062227
Competitive Bridge Plan :

NOTICE OF APPEARANCE

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:

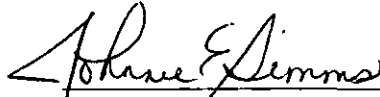
KENNETH L. MICKENS, ESQUIRE
Pa. Public Utility Commission
Office of Trial Staff
P.O. Box 3265
Harrisburg, PA 17105-3265
kmickens@state.pa.us
(717) 787-1976

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2006 SEP - 7 AM 10: 07
PA PUC
SECRETARY'S BUREAU

On the basis of this notice, I request a copy of each document hereafter issued
by the Commission in this matter.

**DOCUMENT
FOLDER**

DOCKETED
SEP 18 2006


Johnnie E. Simms
Chief Prosecutor
PA Attorney I.D. #33911

Kenneth L. Mickens
PA Attorney I.D. #31255
Prosecutor for: Johnnie E. Simms
Office of Trial Staff.

Dated: September 7, 2006

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of PPL Electric Utilities :
Corporation for Approval of a Competitive : P-00062227
Bridge Plan :

CERTIFICATE OF SERVICE

I hereby certify that I am serving the foregoing **Notice of Appearance**,
dated September 7, 2006, either personally, by first class mail, electronic mail, express
mail and/or by fax upon the persons listed below:

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

David B. MacGregor, Esquire
Post and Schell, PC
Four Penn Center
1600 John F. Kennedy Boulevard
Philadelphia, PA 19103-2921

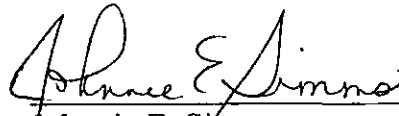
Michael W. Hassell, Esquire
Post and Schell, PC
17 North Second Street; 12th Floor
Harrisburg, PA 17101-1601

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

2006 SEP -7 AM 10: 07
PA PUC
SECRETARY'S BUREAU

RECEIVED

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



Johnnie E. Simms
Chief Prosecutor
Attorney ID #33911
Office of Trial Staff

Dated: September 7, 2006
Docket No. P-00062207

ORIGINAL

**BEFORE THE
Pennsylvania Public Utility Commission**

**Pennsylvania Public Utility
Commission** :
: **v.** :
PPL Electric Utilities :
Corporation :
Re: Petition of PPL Electric :
Utilities :
Corporation for Approval of :
A Competitive Bridge Plan :

Docket No. RP-0006227

P-00062227

2006 SEP 12 AM 9:13
COMMUNICATIONS SECTION

September 9, 2006

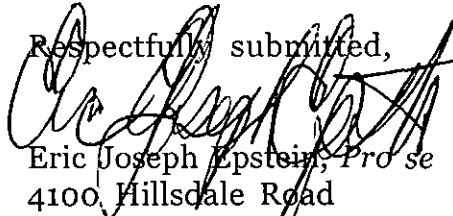
Dear Secretary McNulty:

Enclosed for filing with the Pennsylvania Public Utility Commission is an original and three (3) copies of Eric Joseph Epstein's, *Pro se*, Out of Time Petition to Intervene in the Petition of PPL Electric Utilities Corporation's ("PPL" or the "Company") Request for Approval of a Competitive Bridge Plan Docket No. RP-0006227.

This Petition has been filed Pursuant to Sections 5.71-5.74 of Commission Regulations, 52 Pennsylvania Code §§ Sections 5.71-5.74.

As shown by the attached Certificate of Service, the enclosed parties to this proceeding have been served via the United States Postal Service.

Respectfully submitted,



Eric Joseph Epstein, *Pro se*
4100 Hillsdale Road
Harrisburg, PA 17112
(717)-541-1101 Phone

DOCKETED

SEP 14 2006

DOCUMENT
FOLDER

DOCKETED

SEP 14 2006



I. Background

- 1) Mr. Epstein is a residential customer of PPL; 2013 SEP 12 AM 9:13
- 2) Epstein is a Signatory to the JOINT PETITION FOR FULL SETTLEMENT OF PP&L's INC's RESTRUCTURING PLAN AND RELATED COURT PROCEEDINGS (August 12, 1998) (Docket No. R-00973954);
- 3) Eric Joseph Epstein was actively involved in the Petition of PP&L, Inc., For Permission To Defer, For Future Recovery, A Portion of Its Transition Charges, or In The Alternative, To Exceed the Rate Caps Pursuant to 66 Pa. C.S. § 2804(4)iii(G); Docket No: P-00991780;
- 4) Mr. Epstein was an Active Party in the Petition of PPL, Inc. Petition asking for Issuance of Determination Under Section 329(c) of PUCHA, 15 USC Section 79z-5a9(c); Docket No. P-00991787;
- 5) In addition, Epstein was also an Active Party in PPL Electric Utilities Corporation 2002 Reconciliation Filing with the Pennsylvania Public Utility Commission;
- 6) Epstein filed an unofficial Data Request with PPL related to PPL's CTC's 2003 Reconciliation Filing;
- 7) Eric Joseph Epstein participated in PPL Electric Utilities Corporation 2001 and 2002 Intangible Transition Charge Reconciliation Filings;
- 8) Mr. Epstein submitted Informal Data Requests in PPL's 2003 ITC Reconciliation Filing;
- 9) Mr. Epstein filed a Petition to Intervene and Answer in Opposition to the Petition of PPL Electric Utilities Corporation for Authority to Defer for Accounting and Financial Purposes Certain Losses from Extraordinary Storm Damage and to Amortize Such Losses: Docket No. P-00032069;

10) Epstein submitted Informal Data Requests in the Petition of PPL Electric Utilities Corporation for Authority to Defer for Accounting and Financial Purposes Certain Losses from Extraordinary Storm Damage and to Amortize Such Losses; and,

11) Eric Joseph Epstein was an Active Party and Witness in PPL Electric Utilities 2004 application with the Pennsylvania Public Utility Commission requesting an increase in base rates to increase annual jurisdictional base revenues for electric transmission and delivery (T&D) utility service.

12) Eric Joseph Epstein requested that the Commission grant his Petition to Intervene with Full Party status on January 31, 2005;

13) Mr. Epstein's request was not opposed by PPL Company, the Office of Consumer Advocate, the Office of Trial Staff, or the PP&L Industrial Customer Alliance ("PPLICA") at the Public Hearing for the Above-Referenced Proceeding convened on February 10, 2005;

14) Mr. Epstein was granted Full-Party status by the Honorable Angela T. Jones, Administrative Law Judge, at the Public Hearing for the Above-Referenced Proceeding convened on February 10, 2005; and,

15) On January 19, 2006 Eric Joseph Epstein respectfully requested that the Commission grant this Petition to Intervene with full party status Re: Petition of PPL Electric Utilities Corporation 2005 Competitive Transition Charge Reconciliation Filing Docket No. M-FACE 0511.

II. History of Proceeding

17) On August 21, 2006, Mr. Epstein (“Mr. Epstein” or “Epstein”) had a chance meeting with a statutory party who apprised him of Pennsylvania Power Light’s (“PPL” or “the Company”) pending Bridge proposal.

18) On August 23, 2006, Mr. Epstein sent the following communication to PPL’s counsel, Mr. Paul E. Russell and Mr. David MacGregor:

Please note that I will be filing comments in opposition to PPL’s Petition requesting Approval for A Competitive Bridge Plan as well as Petition to Intervene BEFORE THE, PENNSYLVANIA PUBLIC UTILITY COMMISSION, PPL Electric Utilities Docket No. P-00062227.

I respectfully request that you add Eric Joseph Epstein, *Pro se* to PPL’s service list.

19) Mr. Epstein was **not notified** by PPL of the Competitive Bridge filing, nor did the Pennsylvania Public Utility Commission (PUC) notify parties through PPL’s Service lists which has been the historic norm as most recently manifested in a PPL-related matter on April 28, 2006. (1)

¹ On, April 28, 2006 Secretary James J. McNulty served the following correspondence to **all PPL parties of record**, Re: Sustainable Energy Fund of Central Eastern Pennsylvania Docket Nos. M-00031715 F0003; R-00973954:

“On March 17, 2006, the Sustainable Energy Fund of Central Eastern Pennsylvania (“SEF”) submitted the attached letter to the Commission regarding its establishment of a for-profit subsidiary known as Green Connexions, Inc. The Commission has filed this letter at the above-referenced M docket, and will treat it as a petition for approval of the proposal. Interested parties will have 20 days from the date of this letter to file Answers in response to this petition. Parties should address the proposal’s adherence to the terms of the PPL Electric Utilities, Inc. restructuring settlement, and the SEF’s governing bylaws.”

20) After receiving no response from PPL in two weeks (despite interaction with PPL's counsel on other legal matters), Mr. Epstein programmed his search engine to locate "PPL" and "Competitive Bridge Filing" on September 8, 2006.

21) Mr. Epstein located the *Pennsylvania Bulletin* filing, and immediately notified Mr. Russell and Mr. MacGregor via telephone messages, and spoke directly with Mr. Hassell, of his intent to file an Out of Time Petition on September 8, 2006.

22) Mr. Epstein has participated in PPL filings at the PUC for **over twenty years, and has filed every single document on time.**

23) Given the gravity of the proposal and Mr. Epstein's twenty year record of timely and constructive intervention in related matters, taken together with the fact that the pre-hearing conference is not scheduled until September 22, 2006, Mr. Epstein's Out of Time Petition to Intervene would not cause undue hardship or irreparable harm for PPL, the PUC or other parties.

III. Petition to Intervene

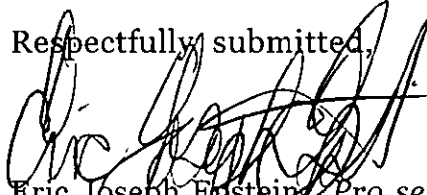
24) As a result PPL's Bridge Filing, rates to be paid by Mr. Epstein will increase.

25) Eric Joseph Epstein has read the Company's proposed Bridge Plan, and finds many aspects of the Company's petition to be valid and appropriate, and several other requests appear to be inconsistent and inappropriate.

26) Mr. Epstein requests the right to raise issues or questions relating to rate structure and rate payer equity, consumer education, energy efficiency and DSR programming, low-income energy assistance, economic development, job retention and tax structure, nuclear fuel cost adjustments, and any proposed alteration or amendment to nuclear decommissioning cost recovery.

27) Mr. Epstein requests the right to fully participate in the evidentiary proceeding, cross examine PPL witnesses as well as witnesses presented by Active Parties, present his own evidence, prepare direct, rebuttal and sur-rebuttal testimony, and offer arguments on his own behalf.

28) Eric Joseph Epstein satisfies the standards for intervention under Section 5.72 of the Commission's regulations, and respectfully requests that the Commission grant this Petition to Intervene with full party status.

Respectfully submitted,

Eric Joseph Epstein Pro se
4100 Hillsdale Road
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(717)-541-1101 Phone
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ericepstein@comcast.net

Date: September 9, 2006

CERTIFICATION OF SERVICE

I hereby certify that I have this day served a true and correct copy of the foregoing document upon the active participants named below by US mail or hand delivery or electronic transmission in accordance with the requirements of Section 1.54.

Honorable Marlane R. Chestnut
Administrative Law Judge
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DATE: September 9, 2006

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COMMUNICATIONS SECTION