



COMMONWEALTH OF PENNSYLVANIA

November 5, 2015

**E-FILED**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

**Re: Petition of West Penn Power Company for Approval of its  
Long-Term Infrastructure Improvement Plan  
Docket No. P-2015-2508948**

Dear Secretary Chiavetta:

Enclosed for filing please find the Answer, Notice of Intervention, Public Statement, and Verification, on behalf of the Office of Small Business Advocate, in the above-captioned proceeding.

Copies have been served today on all known parties in this proceeding, as indicated on the enclosed Certificate of Service. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Daniel G. Asmus".

Daniel G. Asmus  
Assistant Small Business Advocate  
Attorney ID No. 83789

Enclosures

cc: The Honorable Charles E. Rainey, Jr.  
Parties of Record

**BEFORE THE PENNSYLVANIA  
PUBLIC UTILITY COMMISSION**

**Petition of West Penn Power Company** :  
**for Approval of its Long-Term** : **Docket No. P-2015-2508948**  
**Infrastructure Improvement Plan** :

**ANSWER OF THE OFFICE OF SMALL BUSINESS ADVOCATE  
TO THE PETITION OF WEST PENN POWER COMPANY  
FOR APPROVAL OF ITS LONG-TERM INFRASTRUCTURE  
IMPROVEMENT PLAN**

**Procedural History**

On or about October 19, 2015, West Penn Power Company (“West Penn” or “the Company”) filed a Petition of West Penn Power Company for Approval of its Long-Term Infrastructure Plan (“Petition”) with the Pennsylvania Public Utility Commission (“Commission”) pursuant to 66 Pa. C.S. § 1352, and 52 Pa. Code §§121.1 *et seq.*

The Office of Small Business Advocate filed a Notice of Intervention and Public Statement on November 5, 2015.

The Office of Small Business Advocate files the following Answer in response to the corresponding numbered averments in the Company’s Petition.

**ANSWER**

The averments in the two un-numbered paragraphs at the beginning of the Petition constitute a prayer for relief. Therefore, no response to these averments is required.

**I. INTRODUCTION AND BACKGROUND**

1. Admitted.

2. Admitted.
3. Admitted. By way of further answer, the citations to Section 1351 of the Public Utility Code, being writings, speak for themselves, and no further answer is required.
4. Admitted. By way of further answer, the citations to Sections 1352 (referencing long-term infrastructure improvement plans (“LTIIIPs”)) and 1353 (referencing distribution system improvement charges (“DSICs”)) of the Code, being writings, speak for themselves, and no further answer is required.
5. It is admitted that on August 2, 2012, the Commission issued its Final Implementation Order with respect to Act 11. By way of further answer, the Final Implementation Order, being a writing, speaks for itself, and no further answer is required.
6. It is admitted that on May 27, 2014, the Commission issued a Final Order adopting LTIIIP regulations. By way of further answer, the Final Order, being a writing, speaks for itself, and no further answer is required.
7. It is admitted that Section 121.4(e) of the LTIIIP regulations lists the criteria for approval of an LTIIIP. By way of further answer, Section 121.4(e), being a writing, speaks for itself, and no further answer is required.
8. It is admitted that Sections 121.4(f) and (g) of the LTIIIP regulations contemplates the filing of a new or revised LTIIIP upon Commission Order. By way of further answer, Sections 121.4(f) and (g), being writings, speak for themselves, and no further answer is required.

**II. WEST PENN'S LONG-TERM INFRASTRUCTURE IMPROVEMENT PLAN**

9. The averments of this paragraph state conclusions of law to which no response is required.

10. The averments of this paragraph constitute a prayer for relief to which no response is required.

11. The averments of this paragraph constitute a prayer for relief to which no response is required.

**A. Identification of Types and Age of Property to be Improved, Repaired and Replaced:**

12. The averments of this paragraph constitute a prayer for relief to which, no response is required.

**B. Initial Schedule for Planned Repair and Replacement of Eligible Property**

13. The averments of this paragraph constitute a prayer for relief to which no response is required.

**C. General Description of the Location of Eligible Property**

14. The averments of this paragraph constitute a prayer for relief to which no response is required.

**D. Estimate of Quantity of Eligible Property**

15. The averments of this paragraph constitute a prayer for relief to which no response is required.

**E. Projected Annual Expenditures**

16. The averments of this paragraph constitute a prayer for relief to which no response is required.

**F. Acceleration of infrastructure Improvement and Maintenance of Customer Service**

17. The averments of this paragraph constitute a prayer for relief to which no response is required.

18. The OSBA is without information or knowledge sufficient to form a belief as to the truth of the averments of this paragraph, and therefore, they are denied.

**G. Workforce Management and Training Plan for Performance of Work in Cost Effective, Safe and Reliable Manner**

19. The averments of this paragraph constitute a prayer for relief to which no response is required.

**H. Description of the Utility's Outreach and Coordination Activities with Third Parties**

20. The averments of this paragraph constitute a prayer for relief to which no response is required.

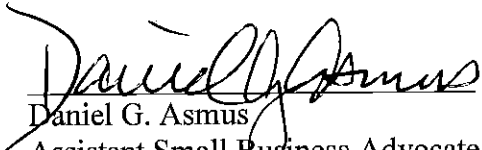
**I. Estimated Implementation of West Penn's DSIC**

21. The averments of this paragraph constitute a prayer for relief to which no response is required.

**III. CONCLUSION**

The averments of this paragraph constitute a prayer for relief to which no response is required.

WHEREFORE, the OSBA respectfully requests that the Commission refer the Companies' Petition to the Office of Administrative Law Judge for hearings and the preparation of an initial decision.

  
Daniel G. Asmus  
Assistant Small Business Advocate  
Attorney ID No. 83789

For:  
John R. Evans.  
Small Business Advocate

Office of Small Business Advocate  
300 North Third Street, Suite 202  
Harrisburg, PA 17101  
717-783-2525  
717-783-2831 (fax)

November 5, 2015

**BEFORE THE PENNSYLVANIA  
PUBLIC UTILITY COMMISSION**

**Petition of West Penn Power Company** :  
**for Approval of its Long-Term** : **Docket No. P-2015-2508948**  
**Infrastructure Improvement Plan** :

**NOTICE OF INTERVENTION  
OF THE SMALL BUSINESS ADVOCATE**

1. The Intervenor is:

John R. Evans  
Small Business Advocate  
300 North Second Street, Suite 202  
Harrisburg, PA 17101  
(717) 783-2525  
(717) 783-2831 (fax)

2. The name and address of the Intervenor's attorney is:

Daniel G. Asmus  
Assistant Small Business Advocate  
Office of Small Business Advocate  
300 North Second Street, Suite 202  
Harrisburg, PA 17101  
(717) 783-2525  
(717) 783-2831 (fax)  
[dasmus@pa.gov](mailto:dasmus@pa.gov)

3. The respondent utility is:

West Penn Power Company  
800 Cabin Hill Drive  
Greensburg, PA 15601

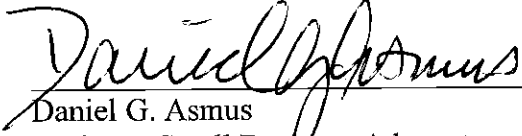
4. The Intervenor is authorized and directed by the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50, to represent the interests of small business consumers of utility services in matters before the Pennsylvania Public Utility Commission ("Commission").

5. This Intervention is filed regarding the Petition of West Penn Power Company for Approval of its Long-Term Infrastructure Improvement Plan (“Petition”) that was filed with the Commission on October 19, 2015.

6. In view of the foregoing, the Small Business Advocate respectfully requests that the Pennsylvania Public Utility Commission:

- A. Direct the Office of Administrative Law Judge to holding hearings on the *Petition* and prepare an initial decision; and
- B. Grant such other relief as may be necessary or appropriate.

Respectfully submitted,

  
Daniel G. Asmus  
Assistant Small Business Advocate  
Attorney ID No. 83789

Office of Small Business Advocate  
300 North Second Street, Suite 202  
Harrisburg, PA 17101  
(717) 783-2525  
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Dated: November 5, 2015

**BEFORE THE PENNSYLVANIA  
PUBLIC UTILITY COMMISSION**

**Petition of West Penn Power Company** :  
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**PUBLIC STATEMENT  
OF THE SMALL BUSINESS ADVOCATE**

The Small Business Advocate is authorized and directed to represent the interests of small business consumers of utility services in Pennsylvania under the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50 (“Act”). The Act further provides that the Small Business Advocate is to issue publicly a written statement setting forth concisely the specific interest of small business consumers to be protected by his initiation of or intervention in any proceeding involving those interests before the Pennsylvania Public Utility Commission (“Commission”) or any other agency or court. This public statement relates to the Small Business Advocate’s intervention in the above-captioned Commission proceedings.

On October 19, 2015, West Penn Power Company (“West Penn”), filed a Petition for approval of its long-term infrastructure improvement plan, initiating the above-captioned proceeding.

The Small Business Advocate is intervening in the above-captioned proceeding in order to protect the interests of West Penn’s small business customers. A thorough inquiry by the Commission into all of the elements of West Penn’s Petition is necessary to ensure that West Penn’s proposals for making and paying for distribution system improvements are in accord with the Public Utility Code and with the Commission’s regulations and policies.

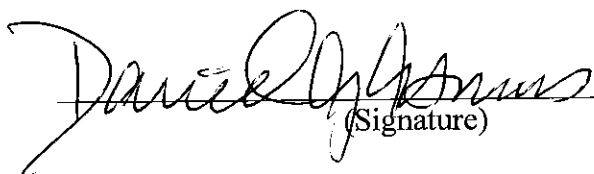
In view of the foregoing, the Small Business Advocate is requesting that the petition be subject to investigation and evidentiary hearings before the Commission. The Small Business Advocate will ask the Commission to deny or modify any aspect of the West Penn's proposal that is not proven by West Penn to be in accord with the Public Utility Code and with the Commission's regulations and policies.

Dated: November 5, 2015

**VERIFICATION**

I, Daniel G. Asmus, hereby state that the facts set forth herein above are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. §4904 (relating to unsworn falsification to authorities).

Date: November 5, 2015

  
(Signature)

**BEFORE THE PENNSYLVANIA  
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**CERTIFICATE OF SERVICE**

I hereby certify that true and correct copies of the foregoing have been served via email and/or first-class mail (unless other noted below) upon the following persons, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

The Honorable Charles E. Rainey, Jr.  
Chief Administrative Law Judge  
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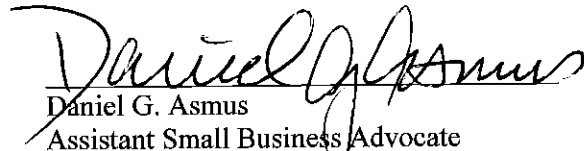
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DATE: November 5, 2015

  
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