

# Morgan Lewis

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May 9, 2016

**VIA eFILING**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17105-3265

**Re: Petition of Metropolitan Edison Company for Approval To Establish and Implement A Distribution System Improvement Charge  
Docket No. P-2015-2508942**


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Dear Secretary Chiavetta:

Enclosed for filing is the **Answer of Metropolitan Edison Company to the Motion for Leave to Amend the Answer of the Met-Ed Industrial Users Group** (the "Answer") in the above-captioned matter.

As evidenced by the enclosed Certificate of Service, copies of the Answer have been served on all parties to this proceeding.

Very truly yours,



Anthony C. DeCusatis

ACD/tp  
Enclosures

c: Per Certificate of Service (w/encls.)

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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**PETITION OF METROPOLITAN** :  
**EDISON COMPANY FOR APPROVAL** :  
**TO ESTABLISH AND IMPLEMENT A** : **Docket No. P-2015-2508942**  
**DISTRIBUTION SYSTEM** :  
**IMPROVEMENT CHARGE** :

**METROPOLITAN EDISON COMPANY’S ANSWER TO  
THE MOTION FOR LEAVE TO AMEND THE  
ANSWER OF THE MET-ED INDUSTRIAL USERS GROUP**

NOW COMES the Respondent, Metropolitan Edison Company (“Met-Ed” or the “Company”), pursuant to 52 Pa. Code § 5.103(c), and submits this Answer to the Motion for Leave to Amend the Answer of the Met-Ed Industrial Users Group (“MEIUG”), as follows:

On March 7, 2016, MEIUG filed, as a single document, a Petition to Intervene and Answer to the above-captioned Petition of Met-Ed (“DSIC Petition”). On March 24, 2016, Met-Ed filed an Answer to MEIUG’s Petition to Intervene and a Reply to New Matter in Paragraph Nos. 11, 12 and 13 of MEIUG’s Answer, which appear under the subheading “Argument.”<sup>1</sup>

On April 19, 2016, MEIUG filed its Motion for Leave to Amend the Answer to the DSIC Petition it filed on March 7, 2016 and offered its proposed Amended Answer for acceptance by the Commission. The Amended Answer offered by MEIUG in large part expands on the “Argument” portion of its original Answer as set forth in Paragraph Nos. 11 and 12.

Met-Ed would not oppose MEIUG’s Motion on the condition that, if the Motion is granted and the Commission accepts MEIUG’s Answer, Met-Ed will have the right, pursuant to 52 Pa. Code §§ 5.62 and 5.63, to file a Reply to the additional New Matter set forth in the Amended Answer if Met-Ed determines that such a Reply might be needed.

Met-Ed’s answers to the numbered paragraphs of MEIUG’s Motion are set forth below.

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<sup>1</sup> The regulations of the Pennsylvania Public Utility Commission (“PUC” or the “Commission”) at 52 Pa. Code §§ 5.62 and 5.63 provide the authority to Reply to New Matter in an Answer.

1. Admitted.
2. Admitted.
3. Admitted.
4. The principal averments of Paragraph No. 4 constitute a prayer for relief to which an answer is not required.
5. The principal averments of Paragraph No. 5 consist of legal argument, citations to law or regulations that speak for themselves and/or requests for relief to which an answer is not required.
6. The principal averments of Paragraph No. 6 consist of legal argument, citations to law or regulations that speak for themselves and/or requests for relief to which an answer is not required.
7. The principal averments of Paragraph No. 7 consist of legal argument, citations to law or regulations that speak for themselves and/or requests for relief to which an answer is not required. It is admitted that this case has not been assigned to the Office of Administrative Law Judge and no hearing has been scheduled.
8. The principal averments of Paragraph No. 8 consist of legal argument, citations to law or regulations that speak for themselves and/or requests for relief to which an answer is not required.
9. The principal averments of Paragraph No. 9 consist of legal argument, citations to law or regulations that speak for themselves and/or requests for relief to which an answer is not required.
10. The principal averments of Paragraph No. 10 consist of legal argument, citations to law or regulations that speak for themselves and/or requests for relief to which an answer is not required.

11. The principal averments of Paragraph No. 11 consist of legal argument, citations to law or regulations that speak for themselves and/or requests for relief to which an answer is not required.

12. It is denied that the amendments proposed by MEIUG constitute “probative facts” that “are necessary for the Commission to resolve the Company’s Petition.” It is admitted that MEIUG is proposing to amend its Answer “at an early stage of the proceeding.” The Company does not assert that the proposed amendment would prejudice it at this stage of the proceeding.

13. The principal averments of Paragraph No. 13 consist of legal argument, citations to law or regulations that speak for themselves and/or requests for relief to which an answer is not required.

14. Paragraph No. 14 is a prayer for relief to which an answer is not required.

WHEREFORE, Met-Ed would not oppose MEIUG’s Motion to Amend its Answer on the condition that, if the Motion is granted and the Commission accepts MEIUG’s Answer, Met-Ed

will have the right, pursuant to 52 Pa. Code §§ 5.62 and 5.63, to file a Reply to the additional New Matter set forth in the Amended Answer if Met-Ed determines that such a Reply might be needed.

Respectfully submitted,



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*Attorneys for Metropolitan Edison Company*

Dated: May 9, 2016

DB1/ 87560434.1

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**PETITION OF METROPOLITAN EDISON COMPANY FOR APPROVAL TO ESTABLISH AND IMPLEMENT A DISTRIBUTION SYSTEM IMPROVEMENT CHARGE** : Docket No. P-2015-2508942  
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**PETITION OF PENNSYLVANIA ELECTRIC COMPANY FOR APPROVAL TO ESTABLISH AND IMPLEMENT A DISTRIBUTION SYSTEM IMPROVEMENT CHARGE** : Docket No. P-2015-2508936  
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**PETITION OF PENNSYLVANIA POWER COMPANY FOR APPROVAL TO ESTABLISH AND IMPLEMENT A DISTRIBUTION SYSTEM IMPROVEMENT CHARGE** : Docket No. P-2015-2508931  
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**PETITION OF WEST PENN POWER COMPANY FOR APPROVAL TO ESTABLISH AND IMPLEMENT A DISTRIBUTION SYSTEM IMPROVEMENT CHARGE** : Docket No. P-2015-2508948  
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**CERTIFICATE OF SERVICE**

I hereby certify and affirm that I have this day served a copies of the **Answers of Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company** to the **Motions for Leave to Amend the Answers of the Met-Ed Industrial Users Group, the Penelec Industrial Customer Alliance, the Penn Power Users Group and the West Penn Power Industrial Intervenors** on the following persons in the manner specified in accordance with the requirements of 52 Pa. Code § 1.54:

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Respectfully submitted,



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Dated: May 9, 2016