

ReedSmith

Karl A. Fritton
Direct Phone: +1 215 241 7956
Email: KFritton@reedsmith.com

Reed Smith LLP
Three Logan Square
Suite 3100
1717 Arch Street
Philadelphia, PA 19103
Tel +1 215 851 8100
Fax +1 215 851 1420
reedsmith.com

May 4, 2016

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

**International Brotherhood of Electrical Workers
Local 614 v. PECO Energy Company
Docket No. C-2016-2525801**

RECEIVED
2016 MAY - 6 AM 10: 53
PA.P.U.C.
SECRETARY'S BUREAU

Dear Secretary Chiavetta:

Attached is PECO Energy Company's Pre-Hearing Memorandum, with attached exhibits, in this matter.

Copies have been served per the attached Certificate of Service.

Respectfully submitted,


Karl A. Fritton

KAF/ap

cc: The Honorable Cynthia Williams Fordham
Charles T. Joyce, Esq.
Scott J. Rubin, Esq.
Darryl Lawrence, Esq.
Michael S. Swerling, Esq.

RECEIVED

2016 MAY -6 AM 10: 53

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

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

International Brotherhood of Electrical Workers :
Local 614 :
v. : C-2016-2525801
PECO Energy Company :

PREHEARING MEMORANDUM OF PECO ENERGY COMPANY

TO ADMINISTRATIVE LAW JUDGE CYNTHIA WILLIAMS FORDHAM:

Pursuant to 52 Pa. Code § 5.222(c), and in response to the April 22, 2016 Prehearing Order, which issued in the above-referenced proceeding, PECO Energy Company (“PECO” or the “Company”) hereby submits this Prehearing Memorandum for consideration by the Honorable Administrative Law Judge, Cynthia Williams Fordham (hereinafter “ALJ Fordham” or “Judge Fordham”).

I. INTRODUCTION

On October 22, 2015, the Pennsylvania Public Utility Commission (“Commission”) approved PECO Energy Company’s (“PECO’s” or the “Company’s”) electric Long Term Infrastructure Improvement Plan (“LTIIIP”)¹ and the Qualified Workforce Management and Training Program (“Program”) described therein.² According to the approved Program, PECO anticipates using outside contractors to perform much of the accelerated infrastructure upgrades contemplated by the LTIIIP. Additionally, PECO anticipates that over 90% of the outsourced LTIIIP work will be competitively bid to Contractors of Choice (“COCs”).

¹ See *Petition of PECO Energy Company for Approval of its Electric Long Term Infrastructure Improvement Plan*, Docket No. P-2015-2471423 (Filed on March 27, 2015).

² See the Commission’s *Opinion and Order Approving PECO’s LTIIIP Petition*, Docket No. P-2015-2471423 (Order entered October 22, 2015).

On January 25, 2016, the International Brotherhood of Electrical Workers Local 614 ("Union" or "Complainant") filed a Formal Complaint with the Commission to allegedly enforce compliance with PECO's LTIP. The Union's Complaint alleges 12 instances of non-LTIP work performed by five contractors on PECO's electrical system between April 2014 and January 2016. According to the Union, the contractors improperly performed work which had a direct, immediate and adverse effect on the safety of Company employees who are Union members. The Union also alleges that PECO failed to sufficiently supervise the contractors and that this lack of supervision resulted in a failure to provide "adequate, efficient, safe and reasonable service and facilities" as required by § 1501 of the Public Utility Code, 66 Pa. C. S. § 1501. The Union further alleges that these deficiencies will be repeated by the contractors in the course of performing LTIP work which may be awarded to them.

On February 12, 2016, the Office of Consumer Advocate ("OCA") filed a Notice of Intervention and Public Statement. The OCA intervened to protect the interests of PECO's customers under the applicable sections of the Public Utility Code and Commission regulations.

On February 16, 2016, PECO filed an Answer, New Matter and Preliminary Objections in response to the Union's Complaint. The Company denied the Union's allegations in its Answer and described in a New Matter its superior record and commitment to safety, including the extensive safety protocols in place for its employees and contractors. PECO's Preliminary Objections sought dismissal of the Formal Complaint on the grounds of collateral estoppel, lack of standing, ripeness and preemption.

On February 26, 2016, the Complainant filed its Answer to Preliminary Objections. The Complainant denied that the doctrine of collateral estoppel applies. The Complainant stated that it has standing to pursue this Complaint and that the claims are ripe. The Complainant denied that the Collective Bargaining Agreement or Section 301 of the Labor Management Relations

Act preempts it from filing a complaint with the Commission concerning enforcement of the LTIP.

On March 7, 2016, the Complainant filed its Answer to New Matter and Affirmative Defenses. The Complainant denied most of the allegations in the New Matter and referenced its Answers to Preliminary Objections regarding the doctrines of collateral estoppel, standing, ripeness and preemption.

On March 31, 2016, ALJ Fordham issued a *Prehearing Order Denying the Respondent's Preliminary Objections* and the case was scheduled for hearing on May 5, 2016. On April 22, 2016, Judge Fordham granted an unopposed request from the Union to convert the May 5, 2016 hearing into a prehearing conference and directed the parties to submit a prehearing memorandum on or before noon on Wednesday, May 4, 2016.

II. STATEMENT OF ISSUES

Based on the pleadings, the issues are as follows:

1. Has the Union proven that electrical work to be performed by contractors under the LTIP will result in a) a direct, immediate threat to employees of the Company who are represented by the Union or b) a failure to provide adequate, efficient, safe and reasonable service and facilities?
2. Do PECO's procedures and programs in place for contractor work under the LTIP comply with the Qualified Workforce Management and Training Program described in the LTIP so that the LTIP work is performed in a safe and reliable manner?
3. Will PECO's employees be actively engaged in the supervision of the LTIP project inspections?

III. PROPOSED SCHEDULE AND DISCOVERY MODIFICATIONS

PECO proposes the following schedule³ for this proceeding, which has been discussed with the Parties:

Prehearing Conference:	May 5, 2016
Initial Settlement Conference:	May 18, 2016
Direct Testimony of Complainant:	June 16, 2016
Rebuttal Testimony of PECO:	July 28, 2016
Surrebuttal Testimony of Complainant:	August 18, 2016
Hearings: (PECO will be permitted to present oral rejoinder)	August 25 and (if needed) 26, 2016
Close of the Record:	August 29, 2016
Main Briefs:	October 10, 2016
Reply Briefs:	October 31, 2016

PECO further proposes that all dates for submission of testimony and briefs be satisfied with an electronic (email attachment or electronic file transfer) or fax copy thereof being provided on the due date, with hard copies to be delivered the next day via overnight delivery.

In addition, PECO proposes discovery modifications set forth in Exhibit A and requests that ALJ Fordham approve the proposed modifications. Furthermore, PECO and the Union have previously agreed to a Protective Order in connection with the Company's disclosure of certain reports to the Union in response to an information request from the Union under the parties'

³ PECO has reviewed the Union's prehearing memorandum, which was submitted to Judge Fordham on May 4, 2016. While the Company believes that the Union's proposed scheduling sequence is correct, PECO does not agree with the proposed discovery cut off dates. Accordingly, PECO is prepared to discuss this issue at the May 5, 2015 prehearing conference. Furthermore, PECO is also open to discussing a revised schedule based on the input of the parties during the prehearing conference.

collective bargaining agreement. Consistent with that agreement, PECO requests that ALJ Fordham approve the protective order set forth in Exhibit B.

IV. WITNESSES

PECO intends to present direct, rebuttal and surrebuttal testimony of the following witnesses on an as-needed basis. PECO plans to present this testimony in written form, including exhibits and other related documents. The Company also reserves the right to call additional witnesses and will inform Judge Fordham and the parties if and when it determines that additional witnesses are needed. Based on the current allegations in the Complaint, the Company's proposed witnesses are as follows:

- 1) J. Earl Coffman, Director Engineering
- 2) John E. McDonald, Vice President Utility Integration
- 3) Eric G. Helt, Vice President Electric Operations
- 4) Ben Kao, Manager Safety and Human Performance
- 5) Peter D. Singh, Manager Project Management
- 6) William C. Gallagher, III, Director Strategic Sourcing

Additional witnesses may be identified based on the specific examples of work relied upon by the Union.

V. POSSIBILITY OF SETTLEMENT

Counsel for the Union and counsel for the Company have had very preliminary discussions about the possibility of settlement. Discussions at the prehearing conference may help outline the elements of a potential settlement and provide a framework for those discussions. Thereafter, PECO will plan to meet with the parties in person or by telephone conference to attempt to reach a mutually agreeable resolution.

VI. AMOUNT OF HEARING TIME NEEDED

The number of days of hearing outlined above is an estimate. The actual number will depend on the scope of the Union's evidence and will be better determined at the close of discovery.

VIII. CONCLUSION

PECO respectfully requests the entry of a scheduling order, discovery modifications and protective order based upon the terms set forth above.

Respectfully submitted,

By:  _____

Romulo L. Diaz, Jr. (Pa. No. 88795)
Jack R. Garfinkle (Pa. No. 81892)
Michael S. Swerling (Pa. No. 94748)
PECO Energy Company
2301 Market Street, S23-1
Philadelphia, PA 19101-8699
Phone: (215) 841-4220
Fax: (215) 568-3389
Romulo.diaz@exeloncorp.com
Jack.garfinkle@exeloncorp.com
Michael.swerling@exeloncorp.com

Karl A. Fritton (Pa No. 34552)
Reed Smith LLP
3 Logan Square
1717 Arch Street, Suite 3100
Philadelphia, PA 19103
Phone: (215) 241-7956
Fax: (215) 851-1420
KFritton@ReedSmith.com

Counsel for PECO Energy Company

EXHIBIT A

RECEIVED

2016 MAY -6 AM 10: 54

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

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

RECEIVED
2016 MAY -6 AM 10:54
PA.P.U.C.
SECRETARY'S BUREAU

International Brotherhood of Electrical Workers :
Local 614 :

v. :

C-2016-2525801

PECO Energy Company :

PROPOSED DISCOVERY PROCEDURE MODIFICATIONS

1. When an interrogatory, request for production, request for admission or motion is served after 12:00 p.m. on a Friday or the last business day before a holiday, the appropriate response period is deemed to start on the next business day.

2. The response period for replying to written interrogatories, requests for production and requests for admissions is ten (10) calendar days of receipt. Responses may be served electronically but hard copies must follow by first-class mail, unless otherwise agreed to by the parties.

3. Objections to written interrogatories, requests for production and requests for admissions are to be communicated orally to the party serving the discovery within three (3) calendar days of receipt and in writing within five (5) calendar days of receipt. The parties are directed to confer, by telephone or e-mail, and attempt to resolve the objections.

4. Motions to dismiss objections and to compel responses shall be filed with the Commission and served on the Administrative Law Judge and the other parties within three (3) calendar days of receipt of the written objections. Answers to such motions shall be filed and served within three (3) calendar days after filing of the motion.

5. If the objections are not resolved, counsel will alert the Administrative Law Judge by e-mail of the need for a ruling, and a conference call will be scheduled. The Administrative Law Judge will make a ruling over the telephone and not reduce it to writing unless requested to do so.

6. Interrogatories, requests for production and requests for admissions that are objected to but which are not made the subject of a motion to compel will be deemed withdrawn.

7. Requests for admissions shall be deemed admitted unless objected to within five (5) calendar days of receipt or answered within ten (10) calendar days of receipt.

8. Discovery requests, motions to compel and responses are to be served electronically, with hard copies to follow by first-class mail.

9. Any discovery-related pleading such as objections, motions or answers served on a Friday or the last business day before a holiday recognized by the Commission will be deemed to have been served on the following business day for purposes of tracking due dates.

EXHIBIT B

RECEIVED

2016 MAY -6 AM 10: 54

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

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED
2016 MAY -6 AM 10:54
P.A.P.U.C.
SECRETARY'S BUREAU

International Brotherhood of Electrical Workers :
Local 614 :

v. :

C-2016-2525801

PECO Energy Company :

PROTECTIVE ORDER

Upon consideration of the Motion for a Protective Order made by PECO Energy Company ("PECO"), the International Brotherhood of Electrical Workers Local 614 (the "Union"), and the Office of the Consumer Advocate ("OCA") participating in the May 5, 2016, Prehearing Conference in this matter:

IT IS ORDERED THAT:

1. The Motion is hereby granted with respect to all materials and information identified in Paragraphs 2 and 3 below, which are or will be filed with the Commission, produced in discovery, or otherwise presented during the above-captioned proceeding and all proceedings consolidated with it. All persons now or hereafter granted access to the materials and information identified in Paragraph 2 of this Protective Order shall use and disclose such information only in accordance with this Order.

2. The information subject to this Protective Order is all correspondence, documents, data, information, studies, methodologies and other materials, whether produced or reproduced or stored on paper, cards, tape, disk, film, electronic facsimile, magnetic or optical memory, computer storage devices or any other devices or media, including, but not limited to, electronic mail (e-mail), furnished in this proceeding that the producing party believes to be of a proprietary or confidential nature and are so designated by being stamped "CONFIDENTIAL" or "HIGHLY CONFIDENTIAL" protected material. Such materials are referred to in this Order as

"Proprietary Information." When a statement or exhibit is identified for the record, the portions thereof that constitute Proprietary Information shall be designated as such for the record.

3. For purposes of this Protective Order there are two categories of Proprietary Information: "CONFIDENTIAL" and "HIGHLY CONFIDENTIAL" protected material. A producing party may designate as "CONFIDENTIAL" those materials that are customarily treated by that party as sensitive or proprietary, that are not available to the public, and that, if generally disclosed, would subject that party or its clients to the risk of competitive disadvantage or other business injury or legal risk. A producing party may designate as "HIGHLY CONFIDENTIAL" those materials that are of such a commercially sensitive nature, relative to the business interests of parties to this proceeding, or of such a private or personal nature, that the producing party is able to justify a heightened level of confidential protection with respect to those materials. The parties shall endeavor to limit the information designated as "HIGHLY CONFIDENTIAL" protected material.

4. Subject to the terms of this Protective Order, Proprietary Information shall be provided to counsel for a party who meets the criteria of a "Reviewing Representative" as set forth below. Such counsel shall use or disclose the Proprietary Information only for purposes of preparing or presenting evidence, testimony, cross examination or argument in this proceeding. To the extent required for participation in this proceeding, such counsel may allow others to have access to Proprietary Information only in accordance with the conditions and limitations set forth in this Protective Order.

5. Information deemed "CONFIDENTIAL" shall be provided to a "Reviewing Representative." For purposes of "CONFIDENTIAL" Proprietary Information, a "Reviewing Representative" is a person who has signed a Non-Disclosure Certificate and is:

- i. An attorney who has formally entered an appearance in this proceeding on behalf of a party or statutory advocate or an attorney for a statutory advocate pursuant to 52 Pa. Code § 1.8; or

- ii. An attorney, paralegal, or other employee associated for purposes of this case with an attorney described in subparagraph (i) above;
- iii. An expert or an employee of an expert retained by a party for the purpose of advising that party or testifying in this proceeding on behalf of that party; or
- iv. Employees or other representatives of a party to this proceeding who have significant responsibility for developing or presenting the party's positions in this docket.

6. Information deemed "HIGHLY CONFIDENTIAL" protected material shall be provided to a Reviewing Representative, provided, however that a Reviewing Representative, for purposes of "HIGHLY CONFIDENTIAL" protected material, is limited to a person who has signed a Non-Disclosure Certificate and is:

- i. An attorney who has formally entered an appearance in this proceeding on behalf of a party or a public advocate or an attorney for a public advocate pursuant to 52 Pa. Code § 1.8; or
- ii. An attorney, paralegal, or other employee associated for purposes of this case with an attorney described in subparagraph (i);
- iii. An outside expert or an employee of an outside expert retained by a party for the purposes of advising that party or testifying in this proceeding on behalf of that party; or
- iv. A person designated as a Reviewing Representative for purposes of HIGHLY CONFIDENTIAL protected material pursuant to paragraph 11.

Provided, further, that in accordance with the provisions of Sections 5.362 and 5.431(e) of the Commission's Rules of Practice and Procedure (52 Pa. Code §§ 5.362, 5.431(e)) any party may, by objection or motion, seek further protection with respect to HIGHLY CONFIDENTIAL protected material, including, but not limited to, total prohibition of disclosure or limitation of disclosure only to particular parties.

7. For purposes of this Protective Order, a Reviewing Representative may not be a "Restricted Person" absent agreement of the party producing the Proprietary Information. A "Restricted Person" shall mean: (a) an officer, director, stockholder, partner, or owner of any

competitor of the parties or an employee of such an entity if the employee's duties involve workplace safety, contractor programs, marketing or pricing of the competitor's products or services or advising another person who has such duties; (b) an officer, director, stockholder, partner, or owner of any affiliate of a competitor of the parties (including any association of competitors of the parties) or an employee of such an entity if the employee's duties involve workplace safety, contractor programs, marketing or pricing of the competitor's products or services or advising another person who has such duties; (c) an officer, director, stockholder, owner, agent or employee of a competitor of a customer of the parties or of a competitor of a vendor of the parties if the Proprietary Information concerns a specific, identifiable customer or vendor of the parties; (d) an officer, director, stockholder, owner or employee of an affiliate of a competitor of a customer of the parties if the Proprietary Information concerns a specific, identifiable customer of the parties; (e) an officer, director, stockholder, owner or employee of an entity that sold goods or services to PECO in the last twenty-four (24) months; provided, however, that no expert shall be disqualified on account of being a stockholder, partner, or owner unless that expert's interest in the business would provide a significant motive for violating the limitations of permissible use of the Proprietary Information. For purposes of this Protective Order, stocks, partnership or other ownership interests valued at more than \$10,000 or constituting more than a 1% interest in a business establish a significant motive for violation.

8. If an expert for a party, another member of the expert's firm or the expert's firm generally also serves as an expert for, or as a consultant or advisor to, a Restricted Person, that expert must: (1) identify for the parties each Restricted Person and all personnel in or associated with the expert's firm that work on behalf of the Restricted Person; (2) take all reasonable steps to segregate those personnel assisting in the expert's participation in this proceeding from those personnel working on behalf of a Restricted Person; and (3) if segregation of such personnel is impractical, the expert shall give to the producing party written assurances that the lack of segregation will in no way adversely affect the interests of the parties or their customers. The

parties retain the right to challenge the adequacy of the written assurances that the parties' or their customers' interests will not be adversely affected. No other persons may have access to the Proprietary Information except as authorized by order of the Commission.

9. Reviewing Representatives qualified to receive "HIGHLY CONFIDENTIAL" protected material may discuss HIGHLY CONFIDENTIAL protected material with their client or with the entity with which they are employed or associated, to the extent that the client or entity is not a Restricted Person, but may not share with, or permit the client or entity to review or have access to, the HIGHLY CONFIDENTIAL protected material.

10. Proprietary Information shall be treated by the parties and by the Reviewing Representative in accordance with the terms of this Protective Order, which are hereby expressly incorporated into the certificate that must be executed pursuant to Paragraph 12(a). Proprietary Information shall be used as necessary, for the conduct of this proceeding and for no other purpose. Proprietary Information shall not be disclosed in any manner to any person except a Reviewing Representative who is engaged in the conduct of this proceeding and who needs to know the information in order to carry out that person's responsibilities in this proceeding.

11. Reviewing Representatives may not use anything contained in any Proprietary Information obtained through this proceeding to give any party, any competitor of any party, any member of any party, or any vendor or its employees or potential vendor to a party or a party's customers a commercial or legal advantage. In the event that a party wishes to designate as a Reviewing Representative a person not described in paragraph 6 (i) through (iii) above, the party must first seek agreement to do so from the party providing the Proprietary Information. If an agreement is reached, the designated individual shall be a Reviewing Representative pursuant to Paragraph 6 (iv) above with respect to those materials. If no agreement is reached, the party seeking to have a person designated a Reviewing Representative shall submit the disputed designation to the presiding Administrative Law Judge for resolution.

12. (a) A Reviewing Representative shall not be permitted to inspect, participate in discussions regarding, or otherwise be permitted access to Proprietary Information pursuant to this Protective Order unless that Reviewing Representative has first executed a Non-Disclosure Certificate in the form provided in Appendix A, provided, however, that if an attorney or expert qualified as a Reviewing Representative has executed such a certificate, the paralegals, secretarial and clerical personnel under his or her instruction, supervision or control need not do so. A copy of each executed Non-Disclosure Certificate shall be provided to counsel for the party asserting confidentiality prior to disclosure of any Proprietary Information to that Reviewing Representative.

(a) Attorneys and outside experts qualified as Reviewing Representatives are responsible for ensuring that persons under their supervision or control comply with the Protective Order.

13. The parties shall designate data or documents as constituting or containing Proprietary Information by stamping the documents "CONFIDENTIAL" or "HIGHLY CONFIDENTIAL" protected material. Where only part of data compilations or multi-page documents constitutes or contains Proprietary Information, the parties, insofar as reasonably practicable within discovery and other time constraints imposed in this proceeding, shall designate only the specific data or pages of documents which constitute or contain Proprietary Information.

14. The Commission and all parties, including the statutory advocates and any other agency or department of state government will consider and treat the Proprietary Information as within the exemptions from disclosure provided in the Pennsylvania Right-to-Know Act (65 P.S. § 67.101 *et seq.*) until such time as the information is found to be non-proprietary.

15. Any public reference to Proprietary Information by a party or its Reviewing Representatives shall be to the title or exhibit reference in sufficient detail to permit persons with

access to the Proprietary Information to understand fully the reference and not more. The Proprietary Information shall remain a part of the record, to the extent admitted, for all purposes of administrative or judicial review.

16. Part of any record of this proceeding containing Proprietary Information, including but not limited to all exhibits, writings, testimony, cross examination, argument, and responses to discovery, and including reference thereto as mentioned in paragraph 15 above, shall be sealed for all purposes, including administrative and judicial review, unless such Proprietary Information is released from the restrictions of this Protective Order, either through the agreement of the parties to this proceeding or pursuant to an order of the Commission.

17. The parties shall retain the right to question or challenge the confidential or proprietary nature of Proprietary Information and to question or challenge the admissibility of Proprietary Information. If a party challenges the designation of a document or information as proprietary, the party providing the information retains the burden of demonstrating that the designation is appropriate.

18. The parties shall retain the right to object to the production of Proprietary Information on any proper ground, and to refuse to produce Proprietary Information pending the adjudication of the objection.

19. Within 30 days after a Commission final order is entered in the above-captioned proceeding, or in the event of appeals, within thirty days after appeals are finally decided, the receiving party, upon request, shall either destroy or return to the parties all copies of all documents and other materials not entered into the record, including notes, which contain any Proprietary Information. In the event that the party elects to destroy all copies of documents and other materials containing Proprietary Information instead of returning the copies of documents and other materials containing Proprietary Information to the parties, upon request, the party shall certify in writing to the other Party that the Proprietary Information has been destroyed.

Date: _____, 2016

Cynthia Williams Fordham
Administrative Law Judge

APPENDIX A
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

2016 MAY -6 AM 10: 55

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

International Brotherhood of Electrical Workers :
Local 614 :
v. :
PECO Energy Company :

C-2016-2525801

TO WHOM IT MAY CONCERN:

The undersigned is the _____ of _____ (the receiving party).

The undersigned has read and understands the Protective Order deals with the treatment of Proprietary Information. The undersigned agrees to be bound by, and comply with, the terms and conditions of said Order, which are incorporated herein by reference.

SIGNATURE

PRINT NAME

ADDRESS

EMPLOYER

DATE: _____

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

International Brotherhood of Electrical Workers :
Local 614 :
 :
v. : C-2016-2525801
 :
PECO Energy Company :

CERTIFICATE OF SERVICE

Karl A. Fritton, being of full age, hereby certifies as follows:

1. I am a partner with the law firm of Reed Smith LLP, attorneys for PECO Energy Company ("PECO") in the above-captioned matter.
2. I hereby certify that on May 4, 2016, I served two copies of PECO's Prehearing Memorandum upon the persons indicated below, which service satisfies the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

Administrative Law Judge Cynthia Williams Fordham
Pennsylvania Public Utility Commission
801 Market Street, Suite 4063
Philadelphia, PA 19107
(215) 560-2105 (telephone)
(215) 560-3133 (fax)
cfordham@pa.gov

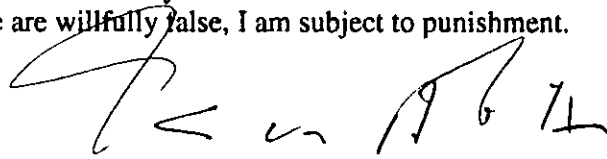
Charles T. Joyce, Esquire
Spear Wilderman, P.C.
230 South Broad Street, Suite 1400
Philadelphia, PA 19102

Scott J. Rubin, Esquire
333 Oak Lane
Bloomsburg, PA 17815-2036
Counsel for Local 614

RECEIVED
2016 MAY -6 AM 10:54
PA.P.U.C.
SECRETARY'S BUREAU

Darryl Lawrence, Esquire
Senior Assistant Consumer Advocate
Office of Consumer Advocate
555 Walnut Street, 5th Floor, Forum Place
Harrisburg, PA 17101-1923
Office of Consumer Advocate

I hereby certify that the foregoing statements made by me are true and correct. I am aware that if any of the statements made by me are willfully false, I am subject to punishment.

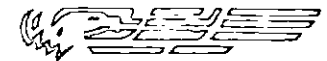
A handwritten signature in black ink, appearing to read 'Karl A. Fritton', written over a horizontal line.

Karl A. Fritton (Pa No. 34552)
Reed Smith LLP
Three Logan Square
1717 Arch Street, Suite 3100
Philadelphia, PA 19103
Phone: (215) 241-7956
Fax: (215) 851-1420
kfritton@reedsmith.com

May 4, 2016



U.S. POSTAGE >> PITNEY BOWES



ZIP 19103 \$ 001.78⁰
02 1W
0001403340 MAY 04 2016

Fritton, Karl A.

ReedSmith_{LLP}

Reed Smith LLP
Three Logan Square
1717 Arch Street, Suite 3100
Philadelphia, PA 19103

001577/872511/50088

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