**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PPL Electric Utilities :

Corporation for Approval of a Default :

Service Program and Procurement : P-2016-2526627

Plan for the Period June 1, 2017 :

Through May 31, 2021 :

**BRIEFING ORDER**

On January 29, 2016, PPL Electric Utilities Corporation (PPL Electric or Petitioner or Company) filed its Petition for approval of its default service program and procurement plan for the period June 1, 2017 through May 31, 2021 (Petition), along with the direct testimony of its witnesses.

Notice of the Petition was published in the *Pennsylvania Bulletin* on Saturday, February 13, 2016, 46 Pa.B. 836, which set February 29, 2016, as the deadline for the filing of protests, petitions to intervene and answers. The publication also stated that the prehearing conference in the case was set for Wednesday, March 9, 2016 and that the case had been assigned to me.

On February 18, 2016, the Commission's Bureau of Investigation & Enforcement (I&E) filed a notice of appearance. On February 29, 2016, the Office of Consumer Advocate (OCA) and the Office of Small Business Advocate (OSBA) each filed its Notice of Intervention and Answer.

Timely petitions to intervene were filed as follows: on February 26, 2016, by NextEra Energy Power Marketing, LLC; on February 29, 2016, the Sustainable Energy Fund of Central Eastern Pennsylvania (SEF), the PP&L Industrial Customer Alliance (PPLICA), and Noble Americas Energy Solutions LLC (NAES). Additional petitions to intervene were filed on March 3, 2016, by the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA), and by Exelon Generation Company, LLC, and on March 4, 2016 by the Retail Energy Supply Association (RESA). There were no objections to any of the petitions to intervene, and all will be granted in the ordering paragraphs below.

All parties filed prehearing memoranda.

The prehearing conference was held as scheduled with the following in attendance: for PPL Electric, Paul E. Russell, Esq., Michael W. Hassell, Esq., Christopher T. Wright, Esq., and Kimberly A. Klock, Esq. On behalf of the OCA, Brandon Pierce, Esq.; on behalf of the OSBA, Steven C. Gray, Esq.; on behalf of I&E, Gina L. Lauffer, Esq.; on behalf of the SEF, Kenneth L. Mickens, Esq.; on behalf of CAUSE-PA, Elizabeth Marx; on behalf of PPLICA, Alessandra Hylander, Esq.; on behalf of RESA, Sarah Stoner, Esq.; on behalf of NextEra, Todd S. Stewart, Esq.; on behalf of NAES, Charles E. Thomas, III, Esq.; and on behalf of Ex Gen, H. Rachel Smith, Esq.

The litigation schedule was agreed upon as were the modifications to the discovery rules in the Scheduling Order issued on March 9, 2016.

On March 18, 2016, the Company filed a Motion for Protective Order, representing that the proposed language had been circulated and no party expressed opposition to any of the wording. Accordingly, the Motion was granted and the Order issued on March 18, 2016. An Amended Protective Order correcting agreed-upon wording was issued on March 30, 2016.

Direct testimony of all parties other than the Company was served on or before April 20, 2016. Rebuttal testimony was served on or before May 23, 2016, and surrebuttal testimony was served on or before June 3, 2016.

The parties reached accord on all issues except for one. The treatment of the Standard Offer Program in relation to OnTrack customers has been reserved for litigation, and main briefs will be filed on or before July 8, 2016. Reply briefs and the Joint Petition for Partial Settlement, as well as statements in support by the signatories, will be filed on July 19, 2016. A common brief outline is attached as Appendix A.

ORDER

THEREFORE,

IT IS ORDERED:

1. That initial briefs are due to be filed and served on or before July 8, 2016.

2. That reply briefs are due to be filed and served on or before July 19, 2016.

3. That briefs must comply with 52 Pa. Code §§ 5.501 and 5.502, and shall comply with the common outline attached to this Order as Appendix A.

4. The Joint Petition for Partial Settlement shall be filed on July 19, 2016.

5. That signatories to the Joint Petition for Partial Settlement shall file and serve Statements in Support no later than July 19, 2016.

6. That any party not signing nor opposing the Joint Petition for Partial Settlement shall file and serve a letter stating that it does not oppose the Joint Petition on or before July 19, 2016.

Dated: June 16, 2016

Susan D. Colwell

Administrative Law Judge

**P-2016-2526627 – PETITION OF PPL ELECTRIC UTILITIES CORPORATION**

***Revised 3/9/16***

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APPENDIX A

**Common Brief Outline**

# introduction

# statement of the case

# questions involved

# legal standards and burden of proof

# summary of argument

# argument

## legal authority for cap shopping restrictions

## whether cap shopping restrictions are needed

## cap shopping proposals

# conclusion

APPENDIX A - Proposed Findings of Fact

APPENDIX B - Proposed Conclusions of Law

**APPENDIX C – Proposed Ordering Paragraphs**