**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission :

:

v. : R-2016-2569975

:

PPL Electric Utilities Corporation :

National Railroad Passenger Corporation :

: C-2016-2580526

v. :

:

PPL Electric Utilities Corporation :

**ORDER GRANTING PETITION TO INTERVENE OF SAFE HARBOR WATER POWER CORPORATION AND BIF II SAFE HARBOR HOLDINGS LLC**

On October 5, 2016, PPL Electric Utilities Corporation (PPL) filed Supplement No. 213 to Tariff Electric Pa. P.U.C. No. 201 (Supplement 213), to become effective January 1, 2017. Supplement 213 proposes an annual increase of approximately $2.320 million in the distribution revenues received from rate schedule Power Service to Electric Propulsion (LPEP). PPL states that the National Passenger Railroad Corporation, (Amtrak) is its sole customer under rate schedule LPEP.

On December 19, 2016, Amtrak filed a complaint with new matter that the Commission docketed at Docket No. C-2016-2580526. The complaint alleges that if the Commission grants PPL’s requested increase in distribution revenues, it would increase the LPEP monthly customer charge to $319,671.00 in order to recover costs associated with upgrades to the Conestoga Substation. This is an increase from the current $126,323.59 LPEP monthly customer charge placed in effect January 1, 2016, pursuant to the settlement in the case at R‑2015-2469275.

The complaint further asserts that Amtrak will own or have supplied more than 70% of the transformer capacity for the Conestoga Substation. According to the complaint, Amtrak already owns 3 of the 7 transformers at the Conestoga Substation. Amtrak plans to deliver 2 or more transformers to replace the older transformers owned by PPL. Therefore, the proposed rate increase is unjust and unreasonable.

The new matter asserts that, pursuant to the settlement in the case at R-2015-2469275, on September 1, 2017, the LPEP monthly customer charge reverted to the rate of $37,100.00 per month in effect prior to January 1, 2016. Amtrak also states in new matter that it should receive a refund of the payments for the period from January 1, 2016 to August 31, 2016.

On December 22, 2016, the Commission suspended PPL’s filings, pursuant to 66 Pa. C.S. §1308(b), from January 1, 2017 until June 1, 2017. Subsequently, the Commission issued an errata notice indicating that PPL’s filings were suspended until July 1, 2017.

On December 22, 2016 PPL filed an answer and new matter to Amtrak’s complaint with new matter. The answer admits that PPL’s filing proposes to increase the LPEP monthly customer charge from the current $126,323.59 to $319,671.00.

The answer denies that Amtrak will own or has supplied more than 70% of the transformer capacity for the Conestoga Substation. The answer asserts that PPL owns four of the transformers as well as the control building, control equipment and circuit breakers at the Conestoga Substation. In addition, PPL owns all of the land for the Conestoga Substation.

The answer contends that Amtrak’s new matter in its complaint is procedurally improper. The answer denies that on September 1, 2016, the LPEP monthly customer charge reverted to the rate of $37,100.00 per month in effect prior to January 1, 2016. Rather, the answer contends the rate of $126,323.59 per month was effective January 1, 2016 and remains in effect unless and until the Commission approves a new rate. The answer denies that Amtrak is entitled to receive a refund for payments for the period from January 1, 2016 to August 31, 2016.

The new matter states that Amtrak has agreed that upgrades to the Conestoga Substation are required to provide continuous reliable and safe service to Amtrak. Amtrak has also agreed that, as the only customer served by the Conestoga Substation, it is responsible for the reasonable and prudent costs to upgrade the Conestoga Substation.

The new matter contends that the $126,323.59 per month customer charge was set forth in the settlement in the case at R-2015-2469275, that the PPL Industrial Customer Alliance (PPLICA) joined the settlement on behalf of Amtrak, that the Commission approved the $126,323.59 customer charge and that the charge is set forth in PPL’s currently effective tariff. The new matter argues that Amtrak’s request for a refund is barred as a matter of law.

The new matter alleges that the upgrades to the Conestoga Substation were due to be completed and in service by December 31, 2016. However, Amtrak and PPL agreed that PPL would temporarily discontinue work on the Conestoga Substation.

The new matter states that nothing in the settlement in the case at R-2015-2469275 provides that the LPEP customer charge would revert back to $37,100.00 if Amtrak and PPL were unable to resolve the issues surrounding the upgrade of the Conestoga Substation. The new matter contends that Amtrak’s request for a refund is a violation of the settlement in the case at R-2015-2469275. The answer with new matter requests that the Commission deny Amtrak’s complaint.

Also on December 22, 2016, PPL filed preliminary objections to Amtrak’s complaint. The preliminary objections reiterate the assertions in PPL’s answer with new matter.

The preliminary objections request that Amtrak’s request for refunds be denied for failure to state a claim upon which relief may be granted because the request is barred as a matter of law, barred by the settlement in the case at R-2015-2469275 and barred by the express terms of the agreement between PPL and Amtrak.

The preliminary objections also contend that the new matter in Amtrak’s complaint does not comply with the Commission’s regulations. Nothing in the Commission’s regulations authorize new matter to be included in a complaint. The preliminary objections request that the Commission dismiss Amtrak’s request for a refund of the LPEP charges and/or strike the new matter.

On December 27, 2016, the Commission’s Bureau of Investigation and Enforcement (I&E) filed a notice of appearance.

By notice dated December 28, 2016, the Commission scheduled a prehearing conference for this matter on January 6, 2017 at 10:00 a.m. in Hearing Room 2, Commonwealth Keystone Building in Harrisburg and assigned the matter to me. I issued a prehearing order, dated December 29, 2016, addressing, inter alia, requests for continuance, subpoena procedures, attorney representation and the Commission’s policy encouraging settlements.

On January 3, 2017, Amtrak filed an answer to PPL’s preliminary objections. The answer reiterates the assertions in Amtrak’s complaint with new matter. The answer denies that Amtrak’s request for a refund is barred as a matter of law, barred by the settlement in the case at R-2015-2469275, barred by the express terms of the agreement between PPL and Amtrak or because the complaint fails to conform with the Commission’s regulations. The answer requests that PPL’s preliminary objections be denied.

Also on January 3, 2017 Amtrak filed a petition requesting that the Commission suspend PPL’s filing indefinitely. In support of its petition Amtrak alleges that it plans to purchase the Conestoga Substation. If it cannot purchase the Conestoga Substation, Amtrak alleges it will take the Conestoga Substation through its eminent domain authority.

Once Amtrak acquires the Conestoga Substation, the petition asserts that PPL will not own any distribution service property serving Amtrak or provide distribution service to Amtrak. If PPL does not own any distribution service property serving Amtrak or provide distribution service to Amtrak, there is no basis to charge Amtrak for distribution services under the LPEP customer charge. Once it acquires the Conestoga Substation, Amtrak will no longer be a customer of PPL and PPL’s filing will be moot.

The petition requests that the Commission suspend PPL’s filing indefinitely. Alternatively, the petition requests that the Commission suspend PPL’s proceedings for the full nine months authorized by 66 Pa.C.S. § 1308(b), until October 1, 2017.

On January 5, 2017, PPL filed an answer to Amtrak’s petition. The answer opposes suspending PPL’s filing indefinitely. However, the answer agrees that the Commission should suspend PPL’s filing for nine months. The answer requests that the Commission deny the request to suspend PPL’s filing indefinitely but grant the request to suspend the filing for nine months.

I conducted a prehearing conference in this case on January 6, 2017. Present were counsel for PPL, Amtrak and I&E. As a result of the prehearing conference, I issued Prehearing Order #2, dated January 6, 2017, which established a litigation and briefing schedule based on the Commission’s December 22, 2016 order and subsequent errata notice suspending PPL’s filings until July 1, 2017.

In anticipation that the Commission would address Amtrak’s petition at its January 19, 2017 public meeting, the parties requested a further prehearing conference. N.T. 6-7. By notice dated January 9, 2017, the Commission scheduled a further prehearing conference for this matter on January 20, 2017 at 10:00 a.m. in Hearing Room 2, Commonwealth Keystone Building in Harrisburg.

On January 11, 2017, Amtrak filed an answer to PPL’s new matter. The answer generally denies the assertions in PPL’s new matter.

On January 17, 2017, Amtrak filed objections to PPL’s interrogatories. Generally, the objections contend that PPL’s interrogatories request information that is irrelevant, beyond the scope of this proceeding and concern matters over which the Commission has no jurisdiction.

By order dated January 18, 2017, I sustained PPL’s preliminary objections, in part. I struck the new matter portion of Amtrak’s complaint without prejudice because the new matter was a complaint against PPL’s existing LPEP rate, not its proposed LPEP rate.

By opinion and order dated January 19, 2017, the Commission modified its December 22, 2016 order and suspended PPL’s filings until October 1, 2017. I conducted a further prehearing conference on January 20, 2017 in order to revise the litigation and briefing schedule in light of the Commission’s January 19, 2017 opinion and order. As a result of the further prehearing conference, I issued Prehearing Order #3, dated January 23, 2017, which modified the litigation and briefing schedule.

On January 20, 2017, PPL filed a motion to compel responses to discovery propounded on Amtrak, pursuant to 52 Pa.Code §§ 5.342(g) and 5.350(e). According to the motion to compel, the Respondent served interrogatories and requests for documents on the Complainant on January 11, 2017. The motion to compel asserts that on January 17, 2017 Amtrak filed objections to interrogatories.

On January 24, 2017, Amtrak filed an answer to PPL’s motion to compel. The answer contends that PPL’s interrogatories request information that is irrelevant, beyond the scope of this proceeding and concern matters over which the Commission has no jurisdiction.

By order dated January 27, 2017, I granted PPL’s motion to compel, in part.

On February 2, 2017 Amtrak provided responses to PPL’s discovery requests.

On February 7, 2017, PPL filed a second motion to compel responses to discovery propounded on Amtrak, pursuant to 52 Pa.Code §§ 5.342(a)(4) and Prehearing Order #2, dated January 6, 2017. According to the second motion to compel, Amtrak provided responses to interrogatories and document requests PPL to Amtrak Set I, Nos. 19, 21, 22, and 23 that did not fully and completely answer the interrogatories and document requests.

On February 10, 2017, Amtrak filed an answer to PPL’s second motion to compel. The answer contends that Amtrak’s responses are complete based on the status of the decisions made by Amtrak concerning purchase of the Conestoga Substation.

By order dated February 17, 2017, I denied PPL’s second motion to compel.

On March 15, 2017, Safe Harbor Water Power Corporation (Safe Harbor) and BIF II Safe Harbor Holdings LLC (BIF II) (collectively Petitioners) filed a petition to intervene in this proceeding. The Petitioners’ petition alleges that Safe Harbor is a hydroelectric generator with generator facilities located on the Susquehanna River. BIF II is Safe Harbor’s corporate parent and purchases all of the electric output from Safe Harbor’s generation facilities.

BIF II delivers electric power to the Conestoga Substation. BIF II has a contract with an electricity supplier to supply power to Amtrak. The power supplied by BIF II through the electric supplier is delivered through Safe Harbor’s interconnection with the Conestoga Substation.

Safe Harbor and BIF II recently became aware that Amtrak plans to acquire the Conestoga Substation. The Conestoga Substation is critical and an integral part to Safe Harbor’s and BIF II’s delivery of electric power to Amtrak.

While Safe Harbor and BIF II do not have a direct interest in PPL’s LPEP rate, they will be impacted by any change in ownership of the Conestoga Substation. The petition alleges that Safe Harbor and BIF II have a direct and substantial interest in this proceeding that cannot be adequately represented by any other party to this proceeding. The petition requests that Safe Harbor and BIF II be permitted to intervene in this proceeding.

On March 23, 2017, PPL filed a letter advising that it had no objection to the petition to intervene filed by Safe Harbor and BIF II.

On April 3, 2017, Amtrak filed an answer to the petition to intervene filed by Safe Harbor and BIF II. The answer denies that Safe Harbor and BIF II have a substantial or material interest in this proceeding. The answer asserts that the potential ownership change of the Conestoga Substation will have no impact on Safe Harbor and BIF II. According to the answer, this proceeding concerns the LPEP rate which Safe Harbor and BIF II do not have a direct interest in and the LPEP rate will become moot because PPL will no longer own the Conestoga Substation.

The Petitioners’ petition to intervene is ready for decision. For the reasons set forth below, I will grant the petition.

The Commission’s Rules of Practice and Procedure permit petitions to intervene. 52 Pa.Code §§ 5.71-5.76. The provision at 52 Pa.Code § 5.72 governs what entities are eligible to intervene in a proceeding and states as follows:

**§ 5.72. Eligibility to intervene.**

(a)  *Persons*. 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. The right or interest may be one of the following:

(1)  A right conferred by statute of the United States or of the Commonwealth.

(2)  An interest which may be directly affected and which is not adequately represented by existing participants, and as to which the petitioner may be bound by the action of the Commission in the proceeding.

(3)  Another interest of such nature that participation of the petitioner may be in the public interest.

(b)  *Commonwealth*. The Commonwealth or an officer or agency thereof may intervene as of right in a proceeding subject to subsection (a)(1)—(3).

(c)  *Supersession*. Subsections (a) and (b) supersede 1 Pa. Code § 35.28 (relating to eligibility to intervene).

The Petitioners’ petition claims that they are eligible to intervene in this proceeding, pursuant to 52 Pa.Code §§ 5.72(a)(2) and (a)(3) since, pursuant to 52 Pa.Code § 5.72(a)(2) they have an interest that may be directly affected and that interest is not adequately represented by the existing participants and their interest may be bound by the action of the Commission in this proceeding.

The Petitioners’ eligibility to intervene in this proceeding is governed by 52 Pa.Code § 5.72(a)(2) since they are not Commonwealth agencies pursuant to 52 Pa.Code § 5.72(b) and a statute of either the United States or the Commonwealth does not confer on them a right to intervene pursuant to 52 Pa.Code § 5.72(a)(1). The Petitioners’ interest in this proceeding must be of such a nature that intervention is necessary or appropriate to the administration of the statute under which the proceeding is brought.

The Commission has defined the language in 52 Pa.Code §§ 5.72(a)(2), requiring that any person filing a petition to intervene have an interest which may be directly affected, as equivalent to an interest that is substantial, immediate and direct. Re Equitable Gas Co., 76 Pa. P.U.C. 23 (1992). This is the same requirement that an entity must meet in order to have standing to initiate a proceeding.

Standing to participate in proceedings before an administrative agency is primarily within the discretion of the agency. Pennsylvania National Gas Association v. T.W. Phillips Gas and Oil Co., 75 Pa. P.U.C. 598, 603 (1991). As stated above, the Commission has held that a person or entity has standing when the person or entity has a direct, immediate and substantial interest in the subject matter of a proceeding. Joint Application of Pennsylvania‑American Water Co. and Evansburg Water Co. for Approval of the transfer, by sale, of the water works property and rights of Evansburg Water Co. to Pennsylvania-American Water Co., A‑212285F0046/47 and A‑210870F01 (Opinion and Order entered July 9, 1998); William Penn Parking Garage, Inc. v. City of Pittsburgh, 464 Pa. 168, 346 A.2d 269 (1975); Landlord Service Bureau, Inc. v. Equitable Gas Co., 79 Pa. P.U.C. 342 (1993); Manufacturers’ Association of Erie v. City of Erie - Bureau of Water, 50 Pa. P.U.C. 43 (1976); Waddington v. Pennsylvania Public Utility Commission, 670 A.2d 199 (Pa.Cmwlth. 1995), alloc. denied, 678 A.2d 368 (Pa. 1996). Requiring a person or entity to have a direct, immediate and substantial interest in the subject matter of a proceeding helps avoid frivolous, harassing lawsuits whose costs are ultimately borne, at least in part, by utility ratepayers. Pennsylvania Public Utility Commission v. National Fuel Gas Distribution Corp., 73 Pa. P.U.C. 552 (1990).

Here, the Petitioners’ interest in the subject matter of the proceeding is direct if their interest is adversely affected by the actions challenged in Amtrak’s complaint, is immediate if there is a close causal nexus between their asserted injury and the actions challenged in Amtrak’s complaint, and is substantial if they have a discernible interest other than the general interest of all citizens in seeking compliance with the law. Ken R. ex rel. C.R. v. Arthur Z., 682 A.2d 1267 (Pa. 1996); In re El Rancho Grande, Inc., 437 A.2d 1150 (Pa. 1981); William Penn Parking Garage, Inc.; Empire Coal Mining & Development, Inc. v. Department of Environmental Resources, 623 A.2d 897 (Pa.Cmwlth. 1993); Landlord Service Bureau, Inc. Mere conjecture about possible future harm does not confer a direct interest in the subject matter of a proceeding. Official Court Reporters of the Court of Common Pleas of Philadelphia County v. Pennsylvania Labor Relations Board, 467 A.2d 311 (Pa. 1983).

This proceeding concerns the LPEP rate which in turn is driven by the costs PPL will incur reconstructing the Conestoga Substation. The costs PPL will incur in reconstructing the Conestoga Substation will be affected by Amtrak’s proposed acquisition of the Conestoga Substation. The Petitioners’ interests are direct since their ability to deliver uninterrupted power will be affected by any construction work at the Conestoga Substation, including any work performed by Amtrak if it acquires part or all of the Conestoga Substation. The Petitioners’ interests are immediate because they may suffer injury as a result of construction work at the Conestoga Substation if that construction work interferes with their ability to provide uninterrupted power. The Petitioners’ interests are substantial because they have a discernible interest other than the general interest of all citizens in seeking compliance with the law. The Petitioners have standing to intervene in this proceeding.

First, the Petitioners’ interest in this proceeding is direct. An entity’s interest in the subject matter of a proceeding is direct if its interest is adversely affected by the Commission’s actions in this proceeding. Safe Harbor and BIF II deliver electric power to the Conestoga Substation. BIF II has a contract with an electricity supplier to supply power to Amtrak and the power supplied by BIF II through the electric supplier is delivered through Safe Harbor’s interconnection with the Conestoga Substation. The Petitioners’ ability to supply uninterrupted power will be affected by construction work at the Conestoga Substation.

The Petitioners have an immediate interest in the proceeding because they can demonstrate a close causal nexus between construction work at the Conestoga Substation and the injuries they may suffer. Construction work at the Conestoga Substation may impact Safe Harbors’ and BIF II’s ability to deliver uninterrupted power through the Conestoga Substation. If Safe Harbor and BIF II are not able to deliver uninterrupted power through the Conestoga Substation, it may impair their ability to fulfil the terms of their contracts and cause them injury.

Finally, the Petitioners’ interest is substantial since they have a discernible interest, other than the concern that PPL and Amtrak comply with the Commission’s regulations. The Petitioners can demonstrate a causal connection between construction work at the Conestoga Substation and the damages they may suffer.

Next, I must determine whether the Petitioners’ interest is not adequately represented by an existing party. In this proceeding, PPL’s, Amtrak’s and I&E’s interests do not coincide with the Petitioners’ interest as a generator and seller of electricity which uses the Conestoga Substation to transmit the power they sell.

PPL’s interest in this proceeding is to recover distribution revenues from rate schedule LPEP sufficient to continue providing service to Amtrak. These revenues are to be used for upgrades and maintenance of the Conestoga Substation. However, if Amtrak does purchase and assume maintenance responsibility for the Conestoga Substation, PPL’s interest in upgrading and maintaining the Conestoga Substation would presumably terminate. In those circumstances, PPL would have no interest in Safe Harbor’s and BIF II’s ability to deliver uninterrupted power through the Conestoga Substation during any construction that takes place.

Amtrak’s interest in this proceeding is to limit the increase to rate schedule LPEP. In pursuing that interest, Amtrak may acquire the Conestoga Substation. If Amtrak acquires the Conestoga Substation, it will presumably become responsible for upgrades to the Conestoga Substation. In that event Amtrak would not be able to adequately represent the interests of Safe Harbor and BIF II since its interest would be to reconstruct the Conestoga Substation at the least cost without regard to whether that reconstruction interfered with the Petitioners’ ability to deliver uninterrupted power.

I&E’s interest in this proceeding is to act on behalf of the general public taking into account the broad public interest in providing safe, reasonable electric service at reasonable cost. I&E’s role in this proceeding is not to act as private counsel to an individual electricity seller. I&E ‘s representation of the broad public interest may conflict with Safe Harbor’s and BIF II’s interest in being able to deliver uninterrupted power. I conclude that Safe Harbor’s and BIF II’s interest in this proceeding is not adequately represented by an existing party.

Finally, I must determine whether Safe Harbor and BIF II may be bound by the actions of the Commission in this proceeding. Safe Harbor and BIF II will not be bound by the actions of the Commission in this proceeding to the extent that the actions of the Commission will not affect the terms and conditions of any agreements between Safe Harbor and BIF II and their customers. However, a Commission decision in this proceeding which approves a new LPEP rate would approve the reconstruction of the Conestoga Substation. That approval and its effect on the Petitioners’ ability to delivery uninterrupted power would be binding on Safe Harbor and BIF II. I conclude that Safe Harbor and BIF II may be bound by the Commission’s determinations regarding PPL’s LPEP rate and approval of reconstruction of the Conestoga Substation.

Next, I will address the timeliness of Safe Harbor’s and BIF II’s petition to intervene. The regulation at 52 Pa. Code §5.74, governing the filing of petitions to intervene states as follows:

#### § 5.74. Filing of petitions to intervene.

(a)  Petitions to intervene may be filed following the filing of an application, petition, complaint or other document seeking Commission action.

(b)  Petitions to intervene shall be filed:

(1)  No later than the date fixed for the filing of responsive pleadings in an order or notice with respect to the proceedings but not less than the notice and protest period established under § §  5.14 and 5.53 (relating to applications requiring notice; and time of filing) absent good cause shown.

(2)  No later than the date fixed for filing protests as published in the *Pennsylvania Bulletin* except for good cause shown.

(3)  In accordance with §  5.53 if no deadline is set in an order or notice with respect to the proceedings.

(4)  A statutory advocate may exercise a right of participation or file a notice of intervention consistent with law at any time in a proceeding. A statutory advocate exercising a right of participation or filing a notice of intervention following expiration of any protest or intervention period shall take the record as developed unless determined otherwise in exceptional circumstances for good cause shown.

(c)  Except with regard to statutory advocates under subsection (b)(4), intervention will not be permitted once an evidentiary hearing has concluded absent extraordinary circumstances.

(d)  The Commission or presiding officer may, when the circumstances warrant, permit the waiver of the requirements of § 5.409 (relating to copies and form of documentary evidence) with respect to copies of exhibits for the intervenor.

(e)  Subsections (a)—(d) supersede 1 Pa. Code § 35.30 (relating to filing of petitions to intervene).

The Commission addressed the timeliness of petitions to intervene, pursuant to 52 Pa. Code §5.74, in its final rulemaking order at Final Rulemaking for the Revision of Chapters 1, 3 and 5 of Title 52 of the Pennsylvania Code Pertaining to Practice and Procedure Before the Commission, Docket No. L-00020156 (Order entered January 4, 2006) (Final Rulemaking Order). The Final Rulemaking Order was also published in the Pennsylvania Bulletin on April 29, 2012 at 36 Pa.B. 2097.

In the Final Rulemaking Order at page 55, the Commission addressed the time limits set forth in 52 Pa. Code §5.74. The Final Rulemaking Order states that the right of the statutory advocates to intervene at any time, pursuant to 52 Pa. Code §5.74(b)(4), extends to private litigants with that right limited by 52 Pa. Code §5.74(c), prohibiting intervention after the conclusion of an evidentiary hearing. The Final Rulemaking Order also notes that any party intervening after the expiration of an established protest period takes the record as it exists.

In this case, Safe Harbor’s and BIF II’s petition to intervene is not untimely since an evidentiary hearing has not been held. However, Safe Harbor and BIF II take the record as it exists at the time of the order granting its petition to intervene.

In conclusion, Safe Harbor and BIF II have demonstrated that they have standing to intervene in this proceeding by demonstrating that they have a direct, immediate and substantial interest in the subject matter of the complaint, are not adequately represented by any of the existing parties and may be bound by the actions of the Commission in this proceeding. I will grant the petition to intervene.

ORDER

THEREFORE,

IT IS ORDERED:

1. That the petition to intervene filed on March 15, 2017 by Safe Harbor Water Power Corporation and BIF II Safe Harbor Holdings LLC at R-2016-2569975 and C‑2016-2580526 is granted.

2. That Safe Harbor Water Power Corporation and BIF II Safe Harbor Holdings LLC is admitted as an intervenor at R-2016-2569975 and C-2016-2580526.

3. That admission of Safe Harbor Water Power Corporation and BIF II Safe Harbor Holdings LLC as intervenors, will not be construed as recognition by the Pennsylvania Public Utility Commission that they have a direct interest in the proceeding or might be aggrieved by an order of the Commission in the proceeding.

4. That Safe Harbor Water Power Corporation and BIF II Safe Harbor Holdings LLC be added as an intervenor to the service list at R-2016-2569975 and C-2016-2580526.

Date: April 5, 2017 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

David A. Salapa

Administrative Law Judge

**R-2016-2569975 - PPL ELECTRIC FILED SUPP NO 213 TO PA PUC NO 201; EFF: 1/1/17, PROPOSING AN INCREASE TO RATE SCHEDULE LPEP.**

(Updated 4/6/17)

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***Accepts e-Service***

*(For PPL Electric Utilities Corporation)*

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**C-2016-2580526**

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