



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105

IN REPLY PLEASE
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April 25, 2018 PA PUC
SECRETARY'S BUREAU
FRONT DESK

Rosemary Chiavetta
Pa. Public Utility Commission
2nd Floor, 400 North Street
P.O. Box 3265
Harrisburg, PA 17105

Re: Pennsylvania Public Utility Commission Bureau of Investigation and
Enforcement v. Xtreme Energy Company; Docket No. C-2017-2599145

Dear Secretary Chiavetta:

Enclosed for filing is the Prehearing Conference Memorandum on behalf of the Bureau of Investigation and Enforcement in the above-referenced case. Copies have been served on the parties of record in accordance with the Certificate of Service.

If you have any questions on this matter, please call me at 717-214-9594.

Sincerely,

Heidi L. Wushinske
Senior Prosecutor
Attorney ID No. 93792

Enclosures

cc: As per Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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Pennsylvania Public Utility Commission, :
Bureau of Investigation and Enforcement, :
Complainant :
v. : Docket No. C-2017-2599145
Xtreme Energy Company, :
Respondent :

**PREHEARING CONFERENCE MEMORANDUM OF THE
BUREAU OF INVESTIGATION AND ENFORCEMENT**

TO DEPUTY CHIEF ADMINISTRATIVE LAW JUDGE JOEL H. CHESKIS:

Pursuant to the Prehearing Conference Order issued by the Honorable Joel H. Cheskis, the Bureau of Investigation and Enforcement (“I&E”) of the Pennsylvania Public Utility Commission (“Commission”) files this initial prehearing conference memorandum.

A. I&E’s Entry on the Service List

Pursuant to 52 Pa. Code § 1.55, I&E’s entry on the service list is as follows:

Heidi L. Wushinske
Senior Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265
hwushinske@pa.gov
717-214-9594

B. Witnesses

I&E intends to call the following witness:

Amy R. Zuvich
Budget Analyst
Fiscal Office
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265
717-783-6806

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The subject matter of Amy Zuvich's testimony will be Act 13 impact and administrative fees, the Commission's administration of these fees, and Ms. Zuvich's experiences dealing with Xtreme Energy Company ("Xtreme").

I&E reserves the right to call additional witnesses, as necessary, and will notify Your Honor and all parties of record.

C. Issues and Sub-issues

The issues in this case are as follows:

1. Did Respondent Xtreme fail to comply with Act 13 by not paying the full amount of impact fees and administrative charges imposed under the Act for its wells with permit numbers 111-20272 and 111-20277 for reporting year 2014?

I&E's position: Yes

2. Did Respondent Xtreme fail to comply with Act 13 by not paying the full amount of impact fees and administrative charges imposed under the Act for its wells with permit numbers 111-20272 and 111-20277 for reporting year 2015?

I&E's position: Yes

3. Did Xtreme file a timely dispute for the impact fees and administrative charges imposed under Act 13 for reporting years 2014 and/or 2015?

I&E's position: No

D. Brief statement of evidence

Related to issues 1 and 2 above, I&E proposes to present Xtreme's Fund Well Summary and DEP production data for reporting years 2014 and 2015, and Respondent's Past Due Impact Fee Statements for years 2014 and 2015, along with the testimony of Amy Zuvich.

Related to issue 3, I&E proposes to present the testimony of Amy Zuvich and the *Commission's Clarification Order regarding Chapter 23*, Docket No. M-2012-2288561, Order entered July 19, 2012.

I&E reserves the right to update its responses contained in this Prehearing Conference Memorandum.

Respectfully submitted,



Heidi L. Wushinske
Senior Prosecutor
PA Attorney ID No. 93792

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265
(717) 214-9594

Dated: April 25, 2018

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2017-2599145
	:	
Xtreme Energy Company	:	
Respondent	:	

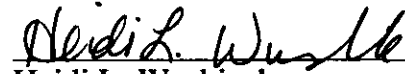
CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Notification by First Class Mail:

Karen O. Moury, Esq.
Carl R. Shultz, Esq.
Eckert Seamans Cherin & Mellot, LLC
213 Market Street, 8th Floor
Harrisburg, PA 17101
Attorneys for Xtreme Energy Company

The Honorable Joel H. Cheskis
Deputy Chief Administrative Law Judge
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265


Heidi L. Wushinske
Senior Prosecutor
PA Attorney I.D. No. 93792

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Dated: April 24, 2018

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