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January 24, 2020

Via Electronic Filing

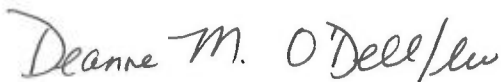
Rosemary Chiavetta, Secretary
PA Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Interstate Gas Supply, Inc. et al., v. Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company,
Docket Nos. C-2019-3013805; C-2019-3013806; C-2019-3013807; C-2019-3013808

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Retail Energy Supply Association's ("RESA") Prehearing Memorandum with regard to the above-referenced matter. Copies to be served in accordance with the attached Certificate of Service.

Sincerely,



Deanne M. O'Dell

DMO/lww
Enclosure

cc: Hon. Joel H. Cheskis w/enc.
Cert. of Service w/enc.

CERTIFICATE OF SERVICE

I hereby certify that this day I served a copy of RESA's Prehearing Memo upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

Via First Class Mail and/or Email

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Date: January 24, 2020



Deanne M. O'Dell, Esq.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Interstate Gas Supply, Inc. d/b/a IGS Energy	:	
Direct Energy Services LLC, and	:	
Shipley Choice, LLC d/b/a Shipley Energy	:	Docket No.: C-2019-3013805
Complainants	:	C-2019-3013806
v.	:	C-2019-3013807
	:	C-2019-3013808
Metropolitan Edison Company,	:	
Pennsylvania Electric Company,	:	
Pennsylvania Power Company, and	:	
West Penn Power Company	:	
Respondents	:	

**PREHEARING MEMORANDUM OF
RETAIL ENERGY SUPPLY ASSOCIATION**

Pursuant to 52 Pa. Code §§ 5.72-5.75, the Prehearing Conference Order dated December 26, 2019, and subject to the granting of the Petition to Intervene being filed on this same date, the Retail Energy Supply Association (“RESA”)¹ submits this Prehearing Memorandum.

I. PROPOSED PLAN AND SCHEDULE OF DISCOVERY

RESA is amenable to working with the other parties in this matter to adopt a reasonable proposed plan and schedule of discovery. RESA does not have any proposals regarding discovery modifications.

II. SETTLEMENT

RESA is willing to participate in settlement discussions with any party to narrow the issues in this matter.

¹ The comments expressed in this filing represent the position of the Retail Energy Supply Association (RESA) as an organization but may not represent the views of any particular member of the Association. Founded in 1990, RESA is a broad and diverse group of retail energy suppliers dedicated to promoting efficient, sustainable and customer-oriented competitive retail energy markets. RESA members operate throughout the United States delivering value-added electricity and natural gas service at retail to residential, commercial and industrial energy customers. More information on RESA can be found at www.resausa.org.

III. SCHEDULE FOR SUBMISSION OF TESTIMONY, HEARINGS AND BRIEFS

RESA will cooperate with the other parties and the Presiding Officers to facilitate a workable litigation schedule.

IV. WITNESSES

At this time, RESA is still evaluating whether or not to present testimony in this matter. RESA reserves the right to present a witness as may be necessary depending on the course of the proceeding and will provide the Presiding Officer as well as the other parties in this matter reasonable notice if necessary. RESA also reserves its right to add additional witnesses or change the identity of its witnesses at any time upon appropriate notice to the Presiding Officers and the parties.

V. PRESENTLY IDENTIFIED ISSUES

RESA is a trade association of power marketers, independent power producers, and a broad range of companies within the Mid-Atlantic marketplace, each of whom support the electric services industry and seek to develop a more competitive power industry. RESA members are licensed to sell electric energy in the markets of Pennsylvania's major electric distribution companies ("EDCs"), including the service territories of the Respondents.

RESA has identified the following issues that should be examined in this proceeding:

- How can continuing to permit the FirstEnergy EDCs to bill their non-commodity charges on the utility bill while prohibiting the billing of non-commodity charges by EGS be consistent with the intent of the Electricity Generation Customer Choice and Competition Act to develop a functioning retail electricity market?
- Does permitting FirstEnergy to continue its current non-commodity billing practices deny EGSs nondiscriminatory access to the public utility's transmission and distribution system on "rates, terms of access and conditions that are comparable to the utilities own use of its system" as required by 66 Pa. C.S. §§ 2803, 2804(6)?
- Does FirstEnergy's current practice require the Commission to take steps to prevent anticompetitive or discriminatory conduct and to investigate "the

impact on the proper functioning of a fully competitive retail electricity market. . . anticompetitive or discriminatory conduct affecting the retail distribution of electricity” as required by 66 Pa. C.S. §§ 2811(a) and (b)?

At this time, RESA continues to evaluate its position on and will refine its position based on further study of the proposals, review of discovery and additional input from other parties. RESA reserves the right to address other issues identified through its continued review and analysis of the filing or raised by other parties

VI. SERVICE OF DOCUMENTS

RESA requests that all documents be served on:

Deanne M. O'Dell, Esquire
Eckert Seamans Cherin & Mellott, LLC
213 Market St., 8th Floor
P.O. Box 1248
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717.237.6000
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RESA also agrees to receive service of documents electronically in this proceeding.

Respectfully submitted,

A handwritten signature in cursive script that reads "Deanne M. O'Dell /lw". The signature is written in dark ink and is positioned above a horizontal line.

Deanne M. O'Dell, Esquire
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Date: January 24, 2020

Attorneys for Retail Energy Supply Association