



COMMONWEALTH OF PENNSYLVANIA

December 29, 2020

E-FILED

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

Re: Petition of Pike County Light & Power for Approval of Its Default Service Plan and Waiver of Commission Regulations and Nunc Pro Tunc Treatment for the Period June 1, 2021 through May 31, 2024 / Docket No. P-2020-3022988

Dear Secretary Chiavetta:

Enclosed please find the Answer, Notice of Intervention, Public Statement, and Verification, on behalf of the Office of Small Business Advocate (“OSBA”), in the above-captioned proceeding.

Copies will be served on all known parties in this proceeding, as indicated on the attached Certificate of Service.

If you have any questions, please do not hesitate to contact me.

Sincerely,

/s/ Sharon E. Webb

Sharon E. Webb
Assistant Small Business Advocate
Attorney ID No. 73995

Enclosures

cc: Robert D. Knecht
Parties of Record

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Pike County Light & Power for	:	
Approval of Its Default Service Plan and	:	Docket No. P-2020-3022988
Waiver of Commission Regulations and	:	
<i>Nunc Pro Tunc</i> Treatment for the Period	:	
June 1, 2021 through May 31, 2024	:	

**ANSWER OF THE
OFFICE OF SMALL BUSINESS ADVOCATE
TO THE PETITION OF PIKE COUNTY LIGHT & POWER COMPANY
FOR APPROVAL OF DEFAULT
SERVICE PLAN AND WAIVER OF COMMISSION REGULATIONS**

Pursuant to 52 Pa. Code §5.61(a), the Office of Small Business Advocate (“OSBA”) files this Answer to the Petition of Pike County Light & Power Company (“PCL&P”, “Pike”, or “the Company”) for Approval of Default Service Plan and Waiver of Commission Regulations (“Petition”), that was filed with the Pennsylvania Public Utility Commission (“Commission”) on June 12, 2018, and avers the following in support thereof:

1. The Office of Small Business Advocate is authorized and directed by the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50, to represent the interests of small business consumers of utility services in matters before the Commission.

2. PCL&P requests that the Commission approve its proposed default service plan (“DSP”) and certain waivers for default service beginning May 31, 2019. PCL&P also proposes

to implement a financial hedging strategy for a portion of its supply acquisition to increase price stability for its default service customers.

3. At this time, the OSBA does not oppose the PCL&P should continue to acquire default service electricity for PCL&P customers through spot market purchases, although it will evaluate the alternatives considered by the Company. The OSBA is unable to evaluate whether the financial hedging strategy contemplated in the Petition for those purchases is appropriate, as PCL&P has not yet provided any details regarding the proposed hedging.

4. The OSBA also generally agrees that PCL&P should continue the default service rate design currently in place. However, the OSBA will evaluate whether the class-specific parameters that determine individual class rates are reasonable and appropriate.

5. The OSBA will evaluate the Company's proposed procurement plan, and consider whether longer-term plans may be more cost-effective, given the specific circumstances facing PCL&P.

6. The OSBA generally agrees that PCL&P should acquire AECs through competitive procurement. However, the OSBA is unable to evaluate the adequacy of PCL&P's proposed competitive procurement or any other parts of its proposal because the Company's has not provided any details of that process as part of its Petition. Further, the Company's testimony was not filed with its Petition and only served on December 24, 2020. While the OSBA is

sensitive to the impact of the pandemic, it objects to the request for expedited treatment for a Petition that was filed with no supporting documentation.

The OSBA reserves the right to comment on the details of these, and other, provisions of PCL&P's default service plan after reviewing the Company's recently filed testimony and the OSBA has had the opportunity to engage in discovery.

WHEREFORE, the Office of Small Business Advocate respectfully requests the Commission to direct the Office of Administrative Law Judge to hold hearings on PCL&P's Petition to issue a Recommended Decision.

Respectfully submitted,

/s/ Sharon E. Webb

Sharon E. Webb
Assistant Small Business Advocate
Attorney ID No. 73995

For:

John R. Evans
Small Business Advocate

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(717) 783-2525
(717) 783-2831 (fax)

Dated: December 29, 2020

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Pike County Light & Power for :
Approval of Its Default Service Plan and : **Docket No. P-2020-3022988**
Waiver of Commission Regulations and :
***Nunc Pro Tunc* Treatment for the Period** :
June 1, 2021 through May 31, 2024 :

**NOTICE OF INTERVENTION
OF THE OFFICE OF SMALL BUSINESS ADVOCATE**

The Office of Small Business Advocate (“OSBA”) files this Notice of Intervention with respect to the Petition of Pike County Light & Power Company (“PCL&P”, “Pike”, or the “Company”) for Approval of Default Service Plan and Waiver of Commission Regulations (“Petition”) that was filed with the Pennsylvania Public Utility Commission (“Commission”) on November 23, 2020. In support of this Notice of Intervention, the OSBA avers as follows:

1. The OSBA is an agency of the Commonwealth of Pennsylvania authorized by the Small Business Advocate Act (Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50) to represent the interest of small business consumers as a party in proceedings before the Commission.

2. Representing the OSBA in this proceeding is:

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Respectfully submitted,

/s/ Sharon E Webb

Sharon E. Webb
Assistant Small Business Advocate
Attorney ID No. 73995

For:
John R. Evans
Small Business Advocate

Office of Small Business Advocate
555 Walnut Street, 1st Floor
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Date: December 29, 200

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Pike County Light & Power for	:	
Approval of Its Default Service Plan and	:	Docket No. P-2020-3022988
Waiver of Commission Regulations and	:	
<i>Nunc Pro Tunc</i> Treatment for the Period	:	
June 1, 2021 through May 31, 2024	:	

**PUBLIC STATEMENT OF
THE OFFICE OF SMALL BUSINESS ADVOCATE**

The Small Business Advocate is authorized and directed to represent the interest of small business consumers of utility services in Pennsylvania under the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50 (the "Act"). The Act further provides that the Small Business Advocate is to issue publicly a written statement stating concisely the specific interest of small business consumers to be protected by his initiation of or intervention in any proceeding involving those interests before the Public Utility Commission ("Commission") or any other agency or court. This public statement relates to the filing today by the Small Business Advocate of an Answer and Notice of Intervention in the above-captioned Commission proceeding.

On November 23, 2020, Pike County Light & Power Company ("PCL&P", "Pike", or the "Company") filed a Petition for Approval of Default Service Plan and Waiver of Commission Regulations ("Petition") that was filed with the Pennsylvania Public Utility Commission ("Commission").

The Small Business Advocate is intervening in this proceeding in order to protect the interests of the Company's small business customers. A thorough inquiry by the Commission into all of the elements of the Petition is necessary to ascertain whether the Company's proposals

for procuring electricity conform to the Public Utility Code and to the Commission's regulations regarding the terms of their default service plan.

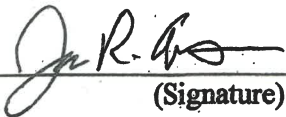
In view of the foregoing, the Small Business Advocate is requesting that the Petition be subject to investigation and evidentiary hearings before the Commission. The Small Business Advocate will ask the Commission to deny or modify any aspect of the Company's proposals that are not proven by Pike to be in accordance with the Public Utility Code and with the Commission's regulations and terms regarding their default service plan.

Dated: December 29, 2020

VERIFICATION

I, John R. Evans, hereby state that the facts set forth herein above are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Date: 12/29/2020


(Signature)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Pike County Light & Power for :
Approval of Its Default Service Plan and : **Docket No. P-2020-3022988**
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***Nunc Pro Tunc* Treatment for the Period** :
June 1, 2021 through May 31, 2024 :

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing have been served via email (*unless otherwise noted below*) upon the following persons, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

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DATE: December 29, 2020

/s/ Sharon E. Webb

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