



April 21, 2023

VIA E-MAIL

Administrative Law Judge Conrad A. Johnson
Administrative Law Judge Emily I. DeVoe
Office of Administrative Law Judge
301 Fifth Avenue
Piatt Place, Suite 220
Pittsburgh, PA 15222
cojohnson@pa.gov
edevoe@pa.gov

Re: Joint Application of Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company, West Penn Power Company, Keystone Appalachian Transmission Company, Mid-Atlantic Interstate Transmission, LLC, and FirstEnergy Pennsylvania Electric Company for All of the Necessary Authority, Approvals, and Certificates of Public Convenience

Docket Nos. A-2023-3038771, A-2023-3038792, A-2023-3038793, A-2023-3038794, A-2023-3038795, A-2023-3038807, A-2023-3038808, G-2023-3038818, G-2023-3038819, G-2023-3038820, G-2023-3038821, G-00020956

Prehearing Memorandum of CAUSE-PA

Your Honors:

Please find the attached **Prehearing Memorandum of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA)** in the above noted proceeding.

As indicated on the attached Certificate of Service, service on the parties was accomplished by email only.

Respectfully Submitted,



Ria Pereira, Esq.
Counsel for CAUSE-PA

CC: Secretary Rosemary Chiavetta (via E-file)
Nicholas Miskanic, nmiskanic@pa.gov (via E-mail)
Certificate of Service

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Joint Application of Metropolitan Edison	:	
Company, Pennsylvania Electric Company,	:	Docket Nos. A-2023-3038771
Pennsylvania Power Company, West Penn	:	A-2023-3038792
Power Company, Keystone Appalachian	:	A-2023-3038793
Transmission Company, Mid-Atlantic	:	A-2023-3038794
Interstate Transmission, LLC, and	:	A-2023-3038795
FirstEnergy Pennsylvania Electric	:	A-2023-3038807
Company for All of the Necessary	:	A-2023-3038808
Authority, Approvals, and Certificates of	:	G-2023-3038818
Public Convenience	:	G-2023-3038819
	:	G-2023-3038820
	:	G-2023-3038821
	:	G-00020956

**PREHEARING MEMORANDUM
OF THE COALITION FOR AFFORDABLE UTILITY SERVICES
AND ENERGY EFFICIENCY IN PENNSYLVANIA**

PENNSYLVANIA UTILITY LAW PROJECT

Counsel for CAUSE-PA

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On April 13, 2023, a Prehearing Conference Order was issued by the Honorable Administrative Law Judge Conrad A. Johnson and the Honorable Administrative Law Judge Emily I. DeVoe setting a telephonic prehearing conference for Tuesday, April 25, 2023 at 1:30 p.m., and requiring parties to file a Prehearing Memorandum no later than Friday, April 21, 2023 at 4:00 p.m. In response, the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA), through its counsel at the Pennsylvania Utility Law Project, hereby files this Prehearing Memorandum.

I. Background/ Brief History of Proceeding

On March 6, 2023, Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company, West Penn Power Company, Keystone Appalachian Transmission Company, Mid-Atlantic Interstate Transmission, LLC, and FirstEnergy Pennsylvania Electric Company (hereafter, Joint Applicants) filed a Joint Application, in which the Joint Applicants requested authority, approvals, and certificates of public convenience for, what includes but is not limited to: (1) agreements and plans for merger of the Joint Applicants; (2) establishment of FirstEnergy Pennsylvania Holding Company LLC (FE PA); (3) merger of Met-Ed, Penelec, Penn Power, and West Penn with and into FE PA; (4) the initiation by FE PA of electric service in all territories in this Commonwealth where Met-Ed, Penelec, Penn Power, and West Penn do or may provide electric service; and (5) the abandonment by Met-Ed, Penelec, Penn Power, and West Penn of all electric service in this Commonwealth.

In their Joint Application, the Joint Applicants further requested the adoption by FE PA of Met-Ed, Penelec, Penn Power, and West Penn's existing tariffs within new service and rate districts of FE PA corresponding with certain existing service territories. Finally, the Joint Applicants requested the transfer of certain membership interests held by Met-Ed and Penelec to

FirstEnergy Corp.; the transfer of West Penn's Transmission Assets to KATCo; and a certificate of public convenience which would confer on KATCo the status of a Pennsylvania public utility pursuant to 66 Pa.C.S. § 102.

On March 16, 2023, CAUSE-PA filed a Petition to Intervene and Answer, requesting full intervenor status as an active party to the proceeding. On April 13, 2023, Administrative Law Judge Conrad A. Johnson and Administrative Law Judge Emily I. DeVoe entered a Prehearing Conference Order scheduling an initial telephonic prehearing conference in this matter for Tuesday, April 25, 2023 at 1:30 p.m. and requiring parties to file a prehearing memorandum no later than Friday, April 21, 2023 at 4:00 p.m.

II. Issues to be Presented

CAUSE-PA has conducted an initial review of the Joint Application and has identified a number of issues presented in the filing that require further investigation and hearing to ensure that the requested consolidations and relief in the Joint Application will not adversely impact FirstEnergy's low and moderate income customers or result in unjust and unreasonable impacts for FirstEnergy residential customers. CAUSE-PA identifies the following specific issues of concern, which must be addressed in this proceeding, though it reserves the right to raise additional issues which may arise through the course of this proceeding:

1. Whether the quality of service for FirstEnergy customers will be impacted as a result of the requests contained in the Joint Application;
2. Whether the requests contained in the Joint Application will affect FirstEnergy's rates, terms, and/or conditions of service;
3. Whether the requests contained in the Joint Application will impact FirstEnergy's

existing universal service and energy conservation programs;

4. Whether there are actual and meaningful affirmative benefits to low income ratepayers that will result from the requests in the Joint Application.

III. Witnesses and Testimony

CAUSE-PA intends to present the following witness to testify in this matter, but reserves the right to call additional or substitute witnesses as may be warranted upon proper notice to Your Honors and the parties:

Mitchell Miller
Mitch Miller Consulting LLC
60 Geisel Road
Harrisburg, PA 17112
717-903-2196
Mitchmiller77@hotmail.com

Mr. Miller will address the issues identified above, as well as other issues that may arise throughout this proceeding, through the presentation of prepared written direct, rebuttal, and/or surrebuttal testimony – as informed by any related evidence, data, or information identified through discovery.

IV. Discovery

CAUSE-PA supports the discovery modifications proposed by the Office of Consumer Advocate (OCA) in its Prehearing Memorandum.

V. Settlement

CAUSE-PA is willing and ready to engage in settlement discussions in an attempt to resolve or narrow the issues in this proceeding with any and all parties, and encourages the parties to engage in settlement discussions early in the process.

VI. Service on CAUSE-PA

CAUSE-PA is represented by the attorneys at the Pennsylvania Utility Law Project. All documents should be served on CAUSE-PA as follows:

Ria M. Pereira, Esq.
Elizabeth R. Marx, Esq.
John W. Sweet, Esq.
Lauren N. Berman, Esq.
PENNSYLVANIA UTILITY LAW PROJECT
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Telephone: 717-236-9486
Facsimile: 717-233-4088
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CAUSE-PA requests that parties agree to electronic service in this proceeding.

VII. Representation of CAUSE-PA at Prehearing Conference

At the Prehearing Conference, CAUSE-PA will be represented by Ria Pereira, Esq.

VIII. Litigation Schedule

CAUSE-PA is currently involved in discussions with FirstEnergy and other parties to reach a mutually agreeable litigation schedule. CAUSE-PA proposes the following procedural schedule based on its ongoing discussions with parties to the proceeding:

Event	Proposed Dates
Joint Application Filed with the Commission	March 6, 2023
Publication in Pennsylvania Bulletin	March 18, 2023
Pre-hearing Conference	April 25, 2023
Intervenor’s Direct Testimony	June 15, 2023
Rebuttal Testimony	July 14, 2023
Surrebuttal Testimony	August 1, 2023
Oral Rejoinder and Hearings	August 8-9, 2023
Main Briefs	August 30, 2023

Due to the ongoing effects of the COVID-19 pandemic, and the cost and expense associated with in-person hearings, CAUSE-PA supports telephonic hearings.

WHEREFORE, CAUSE-PA respectfully submits this Prehearing Conference Memorandum.

Respectfully submitted,
PENNSYLVANIA UTILITY LAW PROJECT
Counsel for CAUSE-PA



Ria M. Pereira, Esq., PA ID: 316771
Elizabeth R. Marx, Esq., PA ID: 309014
John W. Sweet, Esq., PA ID: 320182
Lauren N. Berman, Esq., PA ID: 310116
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Public Convenience	:	G-2023-3038819
	:	G-2023-3038820
	:	G-2023-3038821
	:	G-00020956

Certificate of Service

I hereby certify that I have this day served copies of the **Prehearing Memorandum of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania** upon the parties of record in the above captioned proceeding in accordance with the requirements of 52 Pa. Code § 1.54.

Via Email Only

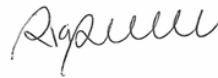
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Respectfully Submitted,
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