**BEFORE**

**THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Pike County Light & Power :

Company for Approval of Default Service : P-2023-3039927

Plan and Waiver of Commission Regulations :

**PREHEARING CONFERENCE ORDER**

On April 13, 2023, Pike County Light & Power Company (Petitioner) filed a Petition for Approval of its Default Service Plan and Waiver of Commission Regulations (Petition). The Petition was filed pursuant to Section 2807(e) of the Public Utility Code and 52 Pa. Code 54.181-54.190.

You are receiving this order because you have been identified as a person who may have an interest in this proceeding. There is no requirement that you participate; however, if you do not, then the case will proceed and be decided without your input. To become a party of record, you must file answer to the petition or a petition to intervene. Formal answers and petitions to intervene must be filed in accordance with 52 Pa.Code (relating to public utilities) on or before Friday, June 9, 2023. All filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the Petitioner.

If you become a party of record, you will be served with all of the pleadings, filings, discovery requests, written testimony and orders and decisions served and issued in this proceeding. *These documents will be voluminous*. Your *rights* as a party of record include the ability to present your own testimony or documents and to cross-examine other witnesses at the formal hearings, and to file exceptions to the administrative law judge’s decision. Your *duties* as a party of record are that you must answer all discovery requests served upon you in accordance with the rules. You will be required to serve a copy of anything that you *file* upon the administrative law judge and each party appearing on the service list, as modified after the Prehearing Conference, regardless of the cost of postage. If you intend to present evidence at the formal evidentiary hearings, you will be required to submit your testimony and documents in writing in advance, in accordance with the schedule to be set at the Prehearing Conference and to provide a copy of your written testimony to each party on the service list. You will be expected to participate in accordance with the rules of Commission practice appearing in Title 52 of the Pennsylvania Code Chapters 1, 3 and 5. The Pennsylvania Code is available on-line at [www.pacode.com](http://www.pacode.com).

All parties are strongly encouraged to have an e-filing account, to sign up for e-service online, and to accept service from the Commission electronically. The Public Utility Commission offers a free e-Filing Subscription Service, which allows users to automatically receive an email notification whenever a document is added, removed, or changed on the PUC website regarding a specific case. Instructions for subscribing to this service are on the PUC’s website at <http://www.puc.pa.gov/Documentation/eFiling_Subscriptions.pdf>.

In accordance with the provisions of 66 Pa. C.S. A. §333 and 52 Pa.Code §§ 5.221 – 5.223, a Call-In Telephone Prehearing Conference has been scheduled in the above-captioned case for Thursday, June 15, 2023, at 10:00 a.m.

The Prehearing Conference is for the discussion and planning of the litigation of the case. No testimony will be taken. Only lawyers representing parties of record and individual persons representing themselves as full litigants will be permitted to participate in the Prehearing Conference.

THEREFORE,

IT IS ORDERED:

1. That a Call-In Telephone Prehearing Conference shall be held at 10:00 a.m. on Thursday, June 15, 2023. **The Toll-Free Bridge Number is 1-866-566-0651, PIN Number 59956427.**
2. That absent a continuance for good cause, all parties must be prepared to participate in the scheduled prehearing conference. Failure of a party to participate in the conference, without good cause shown, shall constitute a waiver of all objections to the agreements reached and an order or ruling with respect thereto.
3. That all parties shall review the regulations relating to discovery, specifically 52 Pa. Code § 5.331(b), which provides, among other things, that “a party shall initiate discovery as early in the proceedings as reasonably possible,” and 52 Pa. Code § 5.322, which encourages parties to exchange information on an informal basis. All parties are urged to cooperate in discovery. There are limitations on discovery and sanctions for abuse of the discovery process. 52 Pa. Code §§5.361, 5.371 – 5.372.
4. That pursuant to 52 Pa. Code §§1.21 – 1.23, you may represent yourself, if you are an individual, or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *pro hac vice*, represent you. However, if you are a partnership, corporation, trust, association, or governmental agency or subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *pro hac vice*, represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall insure that their appearance is entered in accordance with the provisions of 52 Pa.Code § 1.24(b).
5. That all parties are required to provide an email address to the administrative law judge as part of their contact information.
6. That all parties must serve the administrative law judge directly with an electronic copy of any document that is filed in this proceeding. If you send me any correspondence or document, you must send a copy to all other parties.
7. That the parties shall review the regulation pertaining to prehearing conferences, 52 Pa. Code § 5.222, and in particular, subsection (d) which provides, in part:

(d) Parties and counsel will be expected to attend the conference fully prepared for useful discussion of all problems involved in the proceeding, both procedural and substantive, and fully authorized to make commitments with respect thereto.

1. That all of the following matters shall be considered at the prehearing conference:

(a) The possibility for settlement of the proceeding, subject to the Commission’s approval.

(c) Whether the matter should be decided upon legal briefs, or whether a hearing is necessary.

(d) If a hearing is required, a procedural schedule will be discussed including the amount of hearing time necessary to dispose of the proceeding.

(e) Arrangements for the submission of direct testimony of witnesses in writing in advance of the hearing to the extent practicable, and for the submission in advance of hearing of written requests for information which a party contemplates asking another party to present at hearing.

(f) Other matters that may aid in expediting the orderly conduct and disposition of the proceeding and the furtherance of justice, including, but not limited to the following:

(i) The exchange and acceptance of exhibits proposed to be offered into evidence.

(ii) The obtaining of admissions as to, or stipulations of, facts not remaining in dispute, or the authenticity of documents which might properly shorten the hearing.

(iii) The limitation of the number of witnesses.

(iv) The discovery or production of date or other material.

1. That on or before **Wednesday, June 14, 2023, at 12:00 p.m.**, the parties shall serve the administrative law judge and each other electronically with a Prehearing Conference Memorandum addressing each of the subjects included in Paragraph 9 above. *The parties are expected to confer and attempt to agree to a proposed litigation schedule in advance of the prehearing conference.*
2. If you have a limited ability to speak or understand English or are deaf or hearing-impaired, a qualified interpreter can be provided upon your request. If you want an interpreter, please contact the Scheduling Office at least ten (10) days before the scheduled Prehearing Conference or Hearing to make your request.

Scheduling Office: (717) 787-1399

AT&T Relay Service number for persons who are deaf or hearing-impaired:

1‑800‑654‑5988.

Date: May 16, 2023 /s/

Mark Hoyer

Deputy Chief Administrative Law Judge

**P-2023-3039927 - PETITION OF PIKE COUNTY LIGHT & POWER COMPANY FOR APPROVAL OF ITS DEFAULT SERVICE PLAN AND WAIVER OF COMMISSION REGULATIONS AND *NUNC PRO TUNC* TREATMENT FOR THE PERIOD**

**JUNE 1, 2024 THROUGH MAY 31, 2027**

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