



COMMONWEALTH OF PENNSYLVANIA

July 5, 2024

**E-FILED**

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

**Re: Joint Default Service Plan for Citizens' Electric Company of Lewisburg, PA and  
Wellsboro Electric Company For the Period June 1, 2025 through May 31, 2029 /  
Docket Nos. P-2024-3049357 & P-2024-3049359**

Dear Secretary Chiavetta:

Enclosed please find the Prehearing Memorandum, on behalf of the Office of Small Business Advocate ("OSBA"), in the above-captioned proceedings.

I respectfully request that a copy of any documents filed in this case also be shared with our witness at the address below:

Mr. Mark D. Ewen  
Industrial Economics, Incorporated  
2067 Massachusetts Avenue  
Cambridge, MA 02140  
[mewen@indecon.com](mailto:mewen@indecon.com)

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

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

Sincerely,

*/s/ Steven C. Gray*

Steven C. Gray  
Senior Attorney  
Assistant Small Business Advocate  
Attorney ID No. 77538

*Enclosures*

cc: Mark D. Ewen  
Parties of Record

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>Pennsylvania Public Utility Commission</b>	:	
	:	
v.	:	<b>Docket Nos. P-2024-3049357</b>
	:	<b>P-2024-3049359</b>
<b>Joint Default Service Plan for Citizens'</b>	:	
<b>Electric Company of Lewisburg, PA, and</b>	:	
<b>Wellsboro Electric Company for</b>	:	
<b>the Period June 1, 2025, through May 31,</b>	:	
<b>2029</b>	:	

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**PREHEARING MEMORANDUM  
OF THE OFFICE OF SMALL BUSINESS ADVOCATE**

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**I. INTRODUCTION**

The Office of Small Business Advocate (“OSBA”) is authorized to represent the interests of small business customers of utility services before the Pennsylvania Public Utility Commission (“Commission”) pursuant to the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 – 399.50 (“the Act”). In order to discharge this statutory duty, the Small Business Advocate deems it necessary to participate as a party to these proceedings. Representing the OSBA in the above-referenced matter is Assistant Small Business Advocate Steven C. Gray. Please address all correspondence in that matter as follows:

Steven C. Gray, Esq.  
Assistant Small Business Advocate  
Office of Small Business Advocate  
Forum Place  
555 Walnut Street, 1<sup>st</sup> Floor  
Harrisburg, PA 17101  
(717) 783-2525  
[sgray@pa.gov](mailto:sgray@pa.gov)

## **II. FILING BACKGROUND**

On May 31, 2024, Citizens' Electric Company of Lewisburg, PA and Wellsboro Electric Company (the "Companies") filed their Joint Petition for Approval of Default Service Plan for the Period June 1, 2025, through May 31, 2029 ("Joint Petition").

The Office of Small Business Advocate ("OSBA") filed a Notice of Intervention on June 20, 2024.

## **III. IDENTIFICATION OF WITNESS AND TENTATIVE ISSUES**

Assisting in the development and presentation of the OSBA's case in these proceedings is:

Mr. Mark D. Ewen  
Industrial Economics, Incorporated  
2067 Massachusetts Avenue  
Cambridge, MA 02140  
(617) 354-0074  
[mewen@indecon.com](mailto:mewen@indecon.com)

The OSBA will participate in these proceedings to assure that the interests of PECO's small business customers are adequately represented and protected.

After an initial review of the materials submitted by the Companies, the OSBA has identified the following list of issues that it will evaluate in these proceedings:

1. Whether the proposed methodology and timing of the small commercial and industrial customer procurements is reasonable.
2. Whether the Companies' proposals for procurement of solar alternative energy credits ("AECs"), reconciliation of AEC costs and revenues, and allocation of AECs to the various default service rate groups is fair and reasonable.
3. Whether the proposed default service rate design, including time-of-use rate options, is fair and reasonable.
4. Whether the proposal for fixed-price full requirements ("FPFR") contracts is

supportive of the small commercial class and provides appropriate price stability benefits.

The OSBA reserves the right to pursue additional issues that may arise throughout these DSP proceedings.

**IV. SERVICE OF DOCUMENTS**

In accordance with 52 Pa. Code § 1.54(b)(3)(i), the OSBA agrees to accept electronic mail delivery of documents on the due date<sup>1</sup> as satisfying the in-hand requirement. The OSBA requests that email delivery of documents also be provided to its witnesses identified above.

In addition to email copies of pleadings, briefs, and exceptions, the OSBA requests email copies of responses to discovery propounded by the OSBA or any other party.

**V. SETTLEMENT**

The OSBA notes its willingness to enter into settlement discussions at the appropriate phase of these proceedings.

**VI. HEARING AND BRIEFING SCHEDULE**

At the time of this writing, the OSBA is working with the parties to develop a procedural schedule. In light of the extremely heavy case load experienced by all parties, the OSBA requests that any hearings take place telephonically.

Respectfully submitted,

/s/ Steven C. Gray  
Steven C. Gray, Senior Attorney  
Assistant Small Business Advocate  
Attorney ID # 77538

Commonwealth of Pennsylvania  
Office of Small Business Advocate  
Forum Place  
555 Walnut Street, 1<sup>st</sup> Floor  
Harrisburg, PA 17101

Dated: July 5, 2024

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<sup>1</sup> In accordance with 52 Pa. Code § 1.56(a)(5), documents must be received by 4:30 pm.

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>Pennsylvania Public Utility Commission</b>	:	
	:	
v.	:	<b>Docket Nos. P-2024-3049357</b>
	:	<b>P-2024-3049359</b>
	:	
<b>Joint Default Service Plan for Citizens' Electric Company of Lewisburg, PA, and Wellsboro Electric Company for the Period June 1, 2025, through May 31, 2029</b>	:	
	:	

**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).

The Honorable Conrad A. Johnson  
Administrative Law Judge  
Pennsylvania Public Utility Commission  
Piatt Place, Suite 220  
201 Fifth Avenue  
Pittsburgh, PA 15222  
[cojohnson@pa.gov](mailto:cojohnson@pa.gov)

Allison Kaster, Esquire  
Director  
Bureau of Investigation & Enforcement  
400 North Street  
Commonwealth Keystone Building  
Harrisburg, PA 17120  
[akaster@pa.gov](mailto:akaster@pa.gov)

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DATE: July 5, 2024

/s/ Steven C. Gray  
Steven C. Gray  
Senior Attorney  
Assistant Small Business Advocate  
Attorney I.D. No. 77538