

COMMONWEALTH OF PENNSYLVANIA



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January 24, 2025

**Via Electronic Filing**

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

Re: Pennsylvania Public Utility Commission  
v  
Pike County Light & Power Company  
Docket No. R-2024-3052359

Dear Secretary Chiavetta:

Attached for electronic filing please find the Office of Consumer Advocate's Complaint and Public Statement in this matter.

Copies have been served on the parties as indicated on the enclosed Certificate of Service.

Respectfully submitted,

/s/ Darryl A. Lawrence  
Darryl A. Lawrence  
Senior Assistant Consumer Advocate  
Pa. Attorney I.D. # 93682  
DLawrence@paoca.org

Enclosures:

cc: The Honorable Charles E. Rainey, Jr. (email only: crainey@pa.gov)  
Paul Diskin, TUS (email only: pdiskin@pa.gov)  
Darren Gill, TUS (email only: dgill@pa.gov)  
Certificate of Service

CERTIFICATE OF SERVICE

Pennsylvania Public Utility Commission :  
v : Docket No. R-2024-3052359  
Pike County Light & Power Company :

I hereby certify that I have this day served a true copy of the following document, the Office of Consumer Advocate's Complaint and Public Statement, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 24th day of January 2025.

**SERVICE BY E-MAIL ONLY**

Michael A. Podskoch, Jr., Esq.  
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Dated: January 24, 2025

**FORMAL COMPLAINT**  
**BEFORE THE**  
**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**1. COMPLAINANT**

Patrick M. Cicero, Consumer Advocate

555 Walnut Street, 5<sup>th</sup> Floor, Forum Place  
Harrisburg, PA 17101-1923  
Dauphin County

Phone: 717-783-5048

**2. UTILITY NAME**

Pike County Light & Power Company

**3. TYPE OF UTILITY**

Electric

**4. COMPLAINT**

A. On January 14, 2025, Pike County Light & Power Company (Pike or Company) filed Supplement No. 105 to Tariff Electric – Pa. P.U.C. No. 8 at Docket No. R-2024-3052359. The Company filed to increase rates to produce additional operating revenues of \$1,874,600 per year, above existing rates. Pike additionally proposes, however, to roll into distribution rates its Distribution System Improvement Charge (DSIC) balance of \$269,300. The actual distribution revenue increase in this case as proposed by Pike is \$2,143,900 or 29.1%.

B. The Company proposes that the rate increase become effective on March 15, 2025.

C. The Company is engaged in the business of furnishing electric service to approximately 5,350 residential, commercial, and industrial customers in Pike County, Pennsylvania.

D. For the residential customer class, the Company is proposing an overall increase in revenues of \$1,158,698. A residential customer using 674 kWh will see their average bill rise from \$134.29 to \$149.81 per month, or by approximately 11.6%.

E. The Company's proposed rate increase, if approved, would produce an 8.37% overall rate of return on its original cost rate base, including a 9.75% rate of return on common equity.

F. Pike's filing includes a request for approval to charge customers a monthly meter reading fee if they opt-out of having an Advanced Metering Infrastructure (AMI) electronic meter device installed on their property. The new AMI system would allow the company to collect meter data remotely. Pike intends to roll out the new system over an 18-month period and plans to allow customers to opt out of installation of the AMI system. Pike proposes a \$41.98 monthly charge to cover the cost of an employee performing manual meter reading if the customer declined installation of the AMI device.

G. Pike is proposing to implement new disconnection and reconnection fees for its customers. Specifically, Pike proposes to charge customers \$50 for those who wish to voluntarily discontinue service and \$50 to those who wish to reconnect service if it was disconnected voluntarily.

H. The Consumer Advocate is empowered to represent the interests of Pennsylvania consumers before the Pennsylvania Public Utility Commission, pursuant to Act 1976-161 of the General Assembly, as amended, 71 Pa. C.S. §§ 309-1, *et seq.*

I. A preliminary examination of the Company's filing indicates that the proposed distribution revenue increase of \$2,143,900 and the proposed return on common equity of 9.75% may be unjust, unreasonable, in violation of the law and will or may produce an excessive return on investment in violation of the Public Utility Code, 66 Pa. C.S. § 1301 *et seq.*, and may otherwise be contrary to sound ratemaking principles and public policy.

J. The Consumer Advocate avers that the proposed tariff changes, revenue allocations, and proposed rate design may be unlawfully discriminatory, in violation of Public Utility Code, 66 Pa. C.S. §§ 1301 and 1304 *et seq.*, and may otherwise be contrary to sound ratemaking principles and public policy.

K. The Company's filing indicates that the proposed changes and increases in rates, proposed rate schedule modifications, and proposed changes in rate policy, rules, and regulations contained in the proposed Tariff may be unjust, unreasonable, and in violation of the law and will or may produce an excessive return on investment in violation of the Public Utility Code, 66 Pa. C.S. § 1301 *et seq.*

L. In reaching a decision on whether to grant the Company's rate increase as well as its various rule and tariff changes, the Commission must give "due consideration to the interests of consumers." 71 Pa. Stat. Ann. § 309-5(2).

M. Pike's proposal to charge customers a monthly fee if they opt-out of installing an AMI-enabled meter at their service address may be unjust, unreasonable, and/or unlawfully discriminatory. The OCA will investigate whether such a fee may be implemented and, if so, whether the amount of the fee proposed by Pike would be a reasonable term of service.

N. Pike's proposal to implement disconnection and reconnection fees for voluntary disconnection and reconnection may be unjust, unreasonable, and/or unlawfully discriminatory. The OCA will determine whether such fees are required to conserve ratepayer-funded resources and, if so, what amount such fees should be to ensure they are a reasonable term of service.

O. The Consumer Advocate files this Formal Complaint to ensure that the Company's requests are granted only to the extent they are found to be just and reasonable or otherwise compliant with applicable statutes, Commission regulations, or policy.

**5. RELIEF**

The Consumer Advocate respectfully requests that the Public Utility Commission:

- A. Suspend and investigate the operation of the proposed tariff, pursuant to Section 1308(d) of the Public Utility Code, 66 Pa. C.S. § 1308(d);
- B. Consolidate all complaints filed against Supplement No. 105 to Tariff Electric – Pa. P.U.C. No. 8;
- C. Hold full evidentiary hearings examining the reasonableness of the Company’s requests;
- D. Hold public input hearings in the Company’s service territory, by telephone, virtually, or in person as may be needed to provide its customers with an opportunity to be heard on the record, if consumer interest arises;
- E. Modify or reject the proposed rate increase and tariff changes which cannot be fully justified by the Company and shown to be just and reasonable and in the public interest, or which are otherwise contrary to the Public Utility Code, sound ratemaking principles, and public policy; and
- F. Grant any other relief deemed necessary.

**6. VERIFICATION AND SIGNATURE**

***Verification:***

***I, Patrick M. Cicero, hereby state that the facts above set forth are true and correct (or 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).***

/s/ Patrick M. Cicero  
**(Signature)**

January 24, 2025  
**(Date)**

## 7. LEGAL REPRESENTATION

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717-783-5048

PUBLIC STATEMENT OF THE OFFICE OF CONSUMER ADVOCATE  
PURSUANT TO 71 P.S. SECTION 309-4(e)

Act 161 of the Pennsylvania General Assembly, 71 P.S. § 309-2, as enacted July 9, 1976, authorizes the Consumer Advocate to represent the interests of consumers before the Pennsylvania Public Utility Commission (Commission). In accordance with Act 161, and for the following reasons, the Consumer Advocate determined to file a Formal Complaint and participate in proceedings before the Commission involving the current base rate filing made by Pike County Light & Power (Pike or Company).

The Consumer Advocate submits that the rates sought by Pike may be unjust and unlawful based upon information filed by the Company in support of its claim. On January 14, 2025, the Company filed Supplement No. 105 to Tariff Electric – Pa. P.U.C. No. 8 at Docket No. R-2024-3052359. The Company filed to increase rates to produce additional annual operating revenues of \$1,874,600 per year, above existing rates. Pike additionally proposes, however, to roll into distribution rates its Distribution System Improvement Charge (DSIC) balance of \$269,300. The actual distribution revenue increase in this case as proposed by Pike is \$2,143,900 or 29.1%. The Company proposes that the rate increase become effective on March 15, 2025. A residential customer using 674 kWh will see their average bill rise from \$134.29 to \$149.81 per month, or by approximately 11.6%. The Company's proposed rate increase, if approved, would produce an 8.37% overall rate of return on its original cost rate base, including a 9.75% return on common equity.

The Consumer Advocate has filed this Complaint with the Commission to ensure that each aspect of Pike's request is scrutinized and not approved unless shown to be fully justified in law, and consistent with the Public Utility Code, sound ratemaking principles, and sound public policy. The Consumer Advocate will represent the interests of the Company's consumers before the Commission and will seek to ensure that customers are not charged rates that are unjust, unreasonable or otherwise contrary to law.