



Regulation is a maze. We can show you the way!

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February 7, 2025

***VIA ELECTRONIC FILING***

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

Re: Pike County Light & Power Company - Gas; Docket No. R-2024-3052357;  
Pike County Light & Power Company – Electric; Docket No. R-2024-3052359;  
**PCLP MOTION TO CONSOLIDATE AND REQUEST FOR SIX DAY  
EXPEDITED RESPONSE PERIOD**

Dear Secretary Chiavetta:

Enclosed for filing is Pike County Light & Power Company's Motion to Consolidate and Request for Six Day Expedited Response Period in the above-referenced proceedings.

If you have any questions regarding this filing, please contact me.

Very truly yours,

*/s/ Whitney E. Snyder*

Whitney E. Snyder  
Erich W. Struble

*Counsel for Pike County Light & Power Company*

WES/das  
Enclosure

cc: Honorable Marta Guhl ([mguhl@pa.gov](mailto:mguhl@pa.gov))  
Honorable Alphonso Arnold III ([alphonarno@pa.gov](mailto:alphonarno@pa.gov))  
Pamela McNeal, Legal Assistant ([pmcneal@pa.gov](mailto:pmcneal@pa.gov))  
Per Certificate of Service

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket No. R-2024-3052357
	:	
Pike County Light & Power Company –	:	
Gas Division	:	
Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket No. R-2024-3052359
	:	
Pike County Light & Power Company –	:	
Electric Division	:	(Unconsolidated)

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**NOTICE TO PLEAD**

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**PLEASE TAKE NOTICE THAT YOU HAVE SIX (6) DAYS FROM THE DATE OF SERVICE OF THE ATTACHED MOTION WITHIN WHICH TO FILE AN ANSWER OR OTHER RESPONSE TO THE MOTION. FAILURE TO FILE A RESPONSIVE PLEADING WITHIN THE TIME ALLOWED MAY RESULT IN A RULING ON THE MOTION ADVERSE TO YOUR INTERESTS.**

Respectfully submitted,

*/s/ Whitney E. Snyder*

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*Counsel for Pike County Light & Power Company*

Dated: February 7, 2025

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket No. R-2024-3052357
	:	
Pike County Light & Power Company –	:	
Gas Division	:	
Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket No. R-2024-3052359
	:	
Pike County Light & Power Company –	:	
Electric Division	:	(Unconsolidated)

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**PIKE COUNTY LIGHT & POWER COMPANY  
MOTION TO CONSOLIDATE FOR SCHEDULING PURPOSES ONLY AND  
REQUEST FOR EXPEDITED SIX DAY RESPONSE PERIOD**

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**TO THE HONORABLE MARTA GUHL AND  
THE HONORABLE ALPHONSO ARNOLD III:**

Pike County Light & Power Company (“PCLP” or “Company”), by and through its attorneys, HMS Legal, LLP, hereby files this expedited Motion to Consolidate for Scheduling Purposes Only and Request for Expedited Response Period (“Motion”) the above-captioned proceedings pursuant to 52 Pa. Code §§ 5.81 and 5.103. PCLP requests expedited response to and consideration of its Motion in light of the February 14, 2025 prehearing conference scheduled in both of these proceedings and the need to timely set a litigation schedule. The gas and electric proceedings should be heard on a consolidated schedule because they involve common questions of law and fact, Pike submits that no party opposing consolidation will suffer prejudice, and keeping the proceedings on the same timeline will reduce costs and create efficiencies for the Commission and the parties.

Pike conferred with the Office of Small Business Advocate, Office of Consumer Advocate, and the Commission's Bureau of Investigation and Enforcement regarding each party's respective position on consolidation. The Office of Small Business Advocate indicated that it opposes consolidation. The Office of Consumer Advocate and Bureau of Investigation and Enforcement do not oppose consolidation for scheduling purposes only. The Bureau of Investigation and Enforcement has indicated it does *not* oppose consolidation.

## **I. BACKGROUND**

1. On December 30, 2024, PCLP filed Supplement No. 127 to Tariff Gas – Pa. P.U.C. No. 6 (Tariff No. 6) to become effective February 28, 2025, and docketed at R-2024-3052357 (Gas Filing). Tariff No. 6 contains proposed changes to rates calculated to produce an increase of \$905,900 (35.8%) in additional revenues.

2. On January 14, 2025, PCLP filed Supplement No. 105 to Tariff Electric – Pa. P.U.C. No. 8 (Tariff No. 8) to become effective March 15, 2025, and docketed at R-2024-3052359 (Electric Filing). Tariff No. 8 contains proposed changes to rates, rules and regulations calculated to produce an increase of \$1,874,600 (11.5%) in additional revenues.

3. On January 8, 2025 and January 16, 2025, the Office of Consumer Advocate (“OCA”) and Office of Small Business Advocate (“OSBA”), respectively, filed Formal Complaints against PCLP regarding its Gas Filing, asserting, *inter alia*, that it is contrary to sound ratemaking principles and public policy.

4. On January 17, 2025, Pike voluntarily further extended the suspension period in the Gas Filing so that both cases can be litigated on the same schedule.

5. On January 23, 2025, the Commission, pursuant to the Public Utility Code, 66 Pa. C.S. § 1308(d), suspended the filing of Tariff No. 6 by operation of law until October 15, 2025, unless permitted by Commission Order to become effective on an earlier date. The Commission

also ordered an investigation to determine the lawfulness, justness, and reasonableness of the rates, rules, and regulations contained in proposed Tariff No. 6.

6. On January 24, 2025, the Commission scheduled a telephonic prehearing conference in PCLP's gas base rate proceeding for Friday, February 14, 2025 before Administrative Law Judges Marta Guhl and Alphonso Arnold III ("ALJs").

7. Also on January 24, 2025, OCA and OSBA filed Formal Complaints against PCLP regarding its Electric Filing, asserting, inter alia, that it is contrary to sound ratemaking principles and public policy.

8. PCLP, OCA, and OSBA are currently engaged in discovery in both the gas and electric proceedings.

9. On February 6, 2025, the Commission pursuant to the Public Utility Code, 66 Pa. C.S. § 1308(d), suspended the filing of Tariff No. 105 by operation of law until October 15, 2025, unless permitted by Commission Order to become effective on an earlier date. The Commission also ordered an investigation to determine the lawfulness, justness, and reasonableness of the rates, rules, and regulations contained in proposed Tariff No. 105.

10. On February 6, 2025, the Commission also assigned the Electric Filing to the ALJs and scheduled the prehearing conference for the same time and date as the Gas Filing.

## **II. MOTION FOR CONSOLIDATION**

11. Under the Commission's regulations, either the Commission or the presiding officer may order the consolidation of proceedings "involving a common question of law or fact." 52 Pa. Code § 5.81(a). In addition, the regulations allow the Commission or the presiding officer to consider such factors as avoidance of "unnecessary costs or delay." *Id.*

12. Consolidation is appropriate when there are sufficient common legal and factual issues between the cases, and where a party opposing consolidation will not suffer prejudice from

the consolidation. *See e.g., Hartman v. PECO*, Docket Nos. C-2015-2471129 and C-2015-2469877, 2015 WL 1780140 (Order entered Apr. 15, 2015) (consolidating payment complaints because second complaint “requires no more factual or legal development than the first, consolidation is justified as it furthers judicial efficiency and is not at all prejudicial to the parties.”); *In re PECO Energy Company and Enron Energy Serv’s Power, Inc.*, Docket No. R-00973953 and P-00971265, 87 Pa. P.U.C. 718 (Order entered Oct. 9, 1997) (granting motion to consolidate where the same “factual, legal, and policy considerations” were presented in both actions, and where “it would be extraordinarily difficult for th[e] Commission to make an informed decision concerning one petition without contemporaneous consideration of the other.”); *Poole v. Columbia Gas of Pa., Inc.*, Docket No. Z-00109922, 1995 WL 945815 (Order entered June 19, 1995) (affirming consolidation where an additional legal issue in second case was necessarily included in the consideration of a broader legal issue in primary case).

13. The Commission has balanced eight factors to determine whether cases are interrelated and whether efficiencies can be gained through consolidation:

- i. Will the presence of additional issues cloud a determination of the common issues?]
- ii. Will consolidation result in reduced costs of litigation and decision-making for the parties and the Commission?
- iii. Do issues in one proceeding go to the heart of an issue in the other proceeding?
- iv. Will consolidation unduly protract the hearing, or produce a disorderly and unwieldy record?
- v. Will different statutory and legal issues be involved?
- vi. Does the party with the burden of proof differ in the proceedings?
- vii. Will consolidation unduly delay the resolution of one of the proceedings?
- viii. Will supporting data in both proceedings be repetitive?

*Pa. PUC v. City of Lancaster Sewer Fund*, Docket. No. R-2012-2310366, at 3-4 (Order entered Nov. 26, 2012).

14. Because PCLP's gas and electric businesses are financially intertwined, the proceedings will involve common questions of law and fact, and consideration of those questions at the same time will reduce costs and create efficiencies for the Commission and the parties.<sup>1</sup>

15. First, the presence of additional issues will not cloud a determination of the common issues because rate cases often contain a variety of issues which are decided on an issue-by-issue basis and may not be related to rates – like customer service issues. Moreover, Pike's 2020 base rate cases utilized the same litigation schedule with no prejudice to the parties. See **Exhibit A**, *Pennsylvania Public Utility Commission, et al. v. Pike County Light and Power Co.* R-2020-3022134, R-2020-3022135, Prehearing Order at 2 (Long, J. Jan. 14, 2021).

16. Second, consolidation will result in reduced costs of litigation and decision-making for the parties and the Commission because placing the gas and electric proceedings on the same litigation track will allow the parties and the Commission to consider common issues simultaneously.

17. Third, issues in the gas proceeding necessarily go to the heart of issues in the electric proceeding, and vice versa, because PCLP operates its gas and electric utilities as a single business. This is evidenced by PCLP's responses to recent discovery requests. For example, the Commission's Bureau of Investigation and Enforcement ("I&E") recently issued data requests to PCLP in the gas proceeding requesting that PCLP "[p]rovide the actual capital structures for Pike Gas operations only, independent from the combined gas and electric operations . . . ." PCLP responded that "Pike is one company that operates both a gas and electric utility as a single business entity. The exhibit presented is the capital structure for [PCLP], both gas and electric. The Company has not developed individual capital structures for gas versus electric." I&E also

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<sup>1</sup> Indeed, this was evident to the parties in PCLP's previous gas and electric base rate proceedings at Docket Nos. R-2020-3022134 (gas) and R-2020-3022135 (electric)—consolidation occurred without any objection.

asked PCLP to “[i]dentify the outstanding long-term debt balances and associated costs that are applicable to Pike Gas operations only, independent from the combined gas and electric operations of [PCLP].” PCLP responded in part that the “Company has not separated the cost of debt between gas and electric. [PCLP] only separates rate base and cost of equity between gas and electric. . . . [It] does not separately finance its long[-]term debt for gas and electric. Doing so would be cost prohibitive.” *See Exhibit B.*

18. Fourth, consolidation will not unduly protract the hearing or produce a disorderly and unwieldy record. In fact, quite the opposite will likely be the case—hearing the cases on a consolidated schedule will likely have the beneficial effect of shortening the proceedings. Moreover, it is common for the Commission to hear cases on a joint schedule and issue distinct opinions and orders for each case or to issue one opinion and order for both cases. For example, in *Pa. PUC et al. v. Pike County Light and Power Company*, Docket Nos. R-2020-3022134 (gas) and R-2020-3022135 (electric), the cases proceeded on a joint schedule, but the Commission issued separate orders for each case. Pike seeks the same procedural consolidation here.

19. Fifth, the gas and electric cases present common statutory and legal issues. In both instances, PCLP will, as a general matter, attempt to establish that its proposed rate increases are just and reasonable as required by the Public Utility Code. *See* 66 Pa. C.S. a§ 1301 (“Every rate made . . . by any public utility . . . shall be just and reasonable, and in conformity with regulations or orders of the [PUC].”).

20. Sixth, PCLP has the burden of proof in both cases. *See* 66 Pa. C.S. § 315(a) (“In any proceeding upon the motion of the commission, involving any proposed or existing rate of any public utility, or in any proceedings upon complaint involving any proposed increase in rates, the burden of proof to show that the rate involved is just and reasonable shall be upon the public utility.”).

21. Seventh, putting the gas and electric cases on the same litigation schedule will not, in and of itself, unduly delay resolution of one of the proceedings. While the gas case includes a proposed weather normalization adjustment (“WNA”), the parties’ and Commission’s consideration of this proposal will not delay resolution of the electric case. If the proposed WNA proves to be controversial, it can be litigated even though other issues in the cases may settle. This is precisely what recently occurred in *Pa. PUC et al. v. PECO Energy Company*, Docket Nos. R-2024-3046931 (electric) and R-2024-3046932 (gas). The two cases initially proceeded on the same schedule but parted ways because settlements resolved part of the gas case and the electric case, while PECO’s proposed WNA was fully litigated by the parties. It is not uncommon for parties to resolve some but not all issues in a rate case, regardless of whether heard in conjunction with another rate case. This does not weigh against consolidation.

22. Eighth, there is overlapping evidence and witnesses in the gas and electric proceedings. Chuck Lenns and Matthew Lenns, Chief Financial Officer and Controller of PCLP’s parent company Corning Energy Corporation, respectively, are serving as PCLP’s accounting witnesses in both proceedings. Both have offered testimony regarding the major costs driving the proposed gas and electric rate increases. Much of the data upon which those witnesses rely is the same. *See* paragraph 15, *supra*, and accompanying **Exhibit B**.

### **III. REQUEST FOR EXPEDITED RESPONSE PERIOD**

23. PCLP requests expedited response time to this Motion such that consolidation can be addressed at the February 14, 2025 prehearing conference scheduled in these matters. PCLP notes that it is not uncommon for parties to raise consolidation in prehearing memos, leaving other parties a much shorter time frame to respond.

24. A six day response time frame means all parties will have shared their positions on consolidation by close of business Thursday, February 13, 2025 in advance of the 10:00 AM Prehearing Conference scheduled for February 14, 2025.

WHEREFORE, for all the foregoing reasons, PCLP respectfully requests that Administrative Law Judges Guhl and Arnold grant this Motion and issue an order consolidating for scheduling purposes Docket Nos. R-2024-3052359 and R-2024-3052357.

Respectfully submitted,

/s/ Whitney E. Snyder

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*Counsel for Pike County Light & Power Company*

Dated: February 7, 2025

# **EXHIBIT A**

**EXHIBIT A**

*Via electronic service only due to Emergency Order at M-2020-3019262*

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, et al.	:	
	:	
v.	:	R-2020-3022134
	:	
Pike County Light and Power Company - Gas	:	
Pennsylvania Public Utility Commission, et al.	:	
	:	
v.	:	R-2020-3022135
	:	
Pike County Light and Power Company - Electric	:	

**PREHEARING ORDER**

On October 26, 2020, Pike County Light & Power Company (PCLP), filed Supplement No. 110 to Tariff Gas - Pa. P.U.C. No. 6 to become effective December 28, 2020, and docketed at R-2020-3022134 (Gas Filing). Tariff 6 contains proposed changes in rates, rules, and regulations calculated to produce \$262,000 (16%) in additional annual revenues.

Also on October 26, 2020, Pike County Light & Power Company (PCLP), filed Supplement No. 82 to Tariff Electric - Pa. P.U.C. No. 8 (Tariff No. 8) to become effective December 28, 2020, and docketed at R-2020-3022135 (Electric Filing). Tariff No. 8 contains proposed changes in rates, rules, and regulations calculated to produce an increase of \$1,933,600 (24.7%) in additional annual revenues.

BIE filed entries of appearance in both cases. OCA and OSBA, each filed complaints to both filings. Additionally, several ratepayers filed formal complaints.

By order entered December 17, 2020, the Commission suspended the Gas and Electric Filings until July 28, 2021, and instituted an investigation to determine the lawfulness, justness and reasonableness of the rates rules and regulations contained in the proposed tariff supplements.

By hearing notice dated December 17, 2020, the filings were assigned to me and a prehearing conference was scheduled for January 11, 2021.

The prehearing conference convened as scheduled. Counsel for PCLP, BIE, OCA and OSBA appeared. Additionally, three of ratepayer complainants, Charles Gillinder, John Dalton and Shelly Saul appeared and participated. This prehearing order memorializes the matters decided and agreed upon by the parties attending the conferences, as well as agreements made among the parties regarding the litigation schedule following the conferences.

### **Litigation Schedule**

The parties agree upon the following litigation schedule:

<b><u>Date</u></b>	<b><u>Event</u></b>
February 2, 2021	Service of written direct testimony of all other parties
February 8, 2021	Telephonic public input hearings, 1:00 p.m. and 6:00 p.m.
February 22, 2021	Service of written rebuttal testimony
March 4, 2021	Service of written surrebuttal testimony
March 8, 2021	Written rejoinder outline and witness matrix listing the parties intending to cross-examine each witness and the extent of any cross-examination
March 9-12, 2021	Telephonic technical evidentiary hearings
March 30, 2021	Filing and service of main briefs
April 9, 2021	Filing and service of reply briefs or submission of joint settlement petition executed by representatives of parties thereto, together with all parties' statements in support of joint petition/settlement

The parties are reminded of the Commission's requirements for the preparation and filing of written testimony. 52 Pa.Code § 5.412. Written testimony must be accompanied by all exhibits to which it relates. Technical terms and concepts are to be clearly defined and explained in the testimonies and briefs. **The parties are to agree on a list of common acronyms and use them consistently in all written testimony and briefs.**

The above-stated dates are in-hand dates for service on the parties and the presiding Administrative Law Judge (ALJ). The parties at the prehearing conference and the presiding ALJs agreed to accept electronic service of such material,<sup>1</sup> so long as the subject email is received by the date due. **Until further notice, there is no requirement to follow electronic service by sending a hard copy of the same material via first-class mail postage prepaid to the parties designated on the Service List or by express mail service.** The email addresses of the presiding ALJ: [malong@pa.gov](mailto:malong@pa.gov)

Hearings will begin promptly each day. Although one procedural schedule has been adopted for both the Gas Filing and the Electric Filing, these filings have not been consolidated for hearing and decision. The presentation of evidence will begin with testimony related to the Gas Filing. When all the testimony related to the Gas Filing has been completed, testimony and evidence related to the Electric filing will be presented. The parties should keep the order of proceeding in mind when developing the rejoinder outlines and witness matrices set forth above.

The parties must confer before commencement of the hearings to schedule their witnesses so as to avoid "holes" or "dead time" during the hearings. In the event that a partial settlement is achieved the parties should be prepared to proceed on the first scheduled day of hearing to present evidence on the non-resolved issues.

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<sup>1</sup> For parties accepting electronic service, the documents are to be served electronically on the date indicated, by 4:00 p.m. unless otherwise indicated. For parties not accepting electronic service and not located in Harrisburg, documents are due in hand the following business day.

### Service List

A combined service list of the parties for the Gas Filing and Electric Filing is attached to this order.

All parties will receive copies of orders, hearing notices, the recommended decision and the Commission's decision. The parties are permitted without further order to limit the service of documents to parties who indicate that they do not wish to be served with such documents, such as discovery, discovery responses and testimony. Any ratepayer-complainant who wishes to receive copies of discovery, discovery responses and written testimony shall notify counsel for PCLP of this election.

### Public Input Hearings

The parties have agreed that there is sufficient public interest to convene public input hearings. Due to the current status of Pennsylvania in regard to the Covid-19 pandemic, these hearing will be conducted by telephone. OCA has agreed to be responsible to coordinate with the parties and obtain a witness list for the proceeding, which list shall be provided to the ALJ and all parties in advance of the scheduled hearings.

Public input hearings shall be held on **February 8, 2021, at 1:00 p.m. and 6:00 p.m.** PCLP is hereby ordered to publish notice of the date, time and registration instructions for the public input hearings in at least both newspapers of general circulation that were identified at the prehearing conference in PCLP's service territory, weekly, for two consecutive weeks, beginning with **Sunday, January 24, 2021**. PCLPs further ordered to file proof of publication with the Commission's Secretary's Bureau. PCLP is further ordered to publish notice of the public input hearings on its website, social media and through any other electronic means available.

OCA shall provide witness lists for the hearings to the ALJ by 1:00 p.m. on **Friday, February 5, 2021**.

## Issues

In their respective prehearing memoranda, the parties identified various issues they may wish to pursue. The reader is directed to these documents to review a recitation of these issues. Additional issues may arise as the discovery process develops.

## Discovery

The parties shall engage in informal discovery whenever and wherever possible in an attempt to resolve any discovery disputes amicably. 52 Pa.Code § 5.322. If this process fails, the parties have recourse to the Commission's procedures for formal discovery, as herein modified. 52 Pa.Code §§ 5.321, *et seq.* The parties must not send the presiding ALJ, discovery material or cover letters, unless attached to a motion to compel. All motions to compel must contain a certification of counsel of the informal discovery undertaken and their efforts to resolve their discovery disputes informally. If a motion to compel fails to contain such certification, the presiding ALJs will contact the parties and direct them to pursue informal discovery.

PCLP and BIE proposed modification of the Commission's procedures for formal discovery. The following modified discovery procedure applies to this case:

1. Answers to interrogatories shall be served in-hand within seven (7) calendar days of service of the interrogatories.
2. Objections to interrogatories shall be communicated orally within three (3) calendar days of service; unresolved objections shall be served to the presiding ALJs in writing within seven (7) calendar days of service of interrogatories.
3. Motions to dismiss objections and/or direct the answering of interrogatories shall be filed within five (5) calendar days of service of written objections.
4. Answers to motions to dismiss objections and/or direct the answering of interrogatories shall be filed within five (5) calendar days of service of such motions.

5. Any discovery or discovery-related pleadings served after 12:00 p.m. on a Friday or the day before a holiday will be deemed to have been served on the next business day for purposes of tracking due dates.

All discovery due dates shall be “in-hand” and electronic or fax service on the due date will satisfy the “in-hand” requirement.

### **Pre-Served Testimony and Exhibits**

Confidential Security Information (CSI) as defined by 35 P.S. § 2141 *et seq.* should not be transmitted by email or other electronic means. The parties are to avoid introducing CSI into the record and should develop alternative means, such as joint stipulations or redaction when proposing testimony or exhibits. If there is no other alternative to establish a material fact other than by CSI, the parties are to contact the presiding ALJ immediately and in advance of the evidentiary hearing.

No written testimony will be admitted into evidence unless accompanied by a verification or affidavit of the witness.

### **Settlement and Stipulations**

The parties are reminded it is the Commission’s policy to encourage settlements. 52 Pa.Code § 5.231(a). The parties are strongly urged to seriously explore this possibility. Submission of a fully executed joint settlement petition, together with all parties’ statements in support of the joint petition/settlement, must be filed with the Secretary for the Commission and received in-hand by the presiding ALJ no later than the close of business on **April 9, 2021**.

If settlement is not feasible, the parties are encouraged to stipulate to any matters they reasonably can to expedite this proceeding, lessen the burden of time and expenses in litigation on all parties and conserve precious administrative hearing resources. 52 Pa.Code §§ 5.232 and 5.234. All stipulations entered into by the parties must be reduced to writing,

signed by the parties to be bound thereby, and moved into the record during the hearings in this case. An exception to this requirement may occur when circumstances of time and expediency warrant. If so, an oral presentation of a stipulation is permissible, if it is followed by a reduction to writing as herein directed.

### **Cross-Examination**

Friendly cross-examination or cumulative cross-examination during hearings will not be permitted. 52 Pa.Code §§ 5.76; 5.243.

### **Briefs and Reply Briefs**

The parties shall file separate briefs for the Gas Filing and the Electric Filing. The parties must comply with 52 Pa.Code §§ 5.501, et seq., regarding the preparation and filing of briefs. Briefs must include proposed conclusions of law and proposed ordering paragraphs. Page limitations on briefs will be discussed on or before the last day of hearing. The parties shall submit to the presiding ALJ one hard copy of their briefs and one copy by email. The electronic version of a brief must be prepared in Microsoft Office Word format. If in doubt, please email the presiding ALJ for clarification.

IMPORTANT NOTICE: All briefs must conform to the “Instructions for Briefs” attached hereto as Appendix A and made a part of this order. Also, Rate Case Tables will be electronically provided to the parties. These Tables must be used by PCLP and all parties in this proceeding. If any party fails to follow these instructions in the smallest detail that party’s position will not be considered, regardless of where the record may support it or the position of any other party to this proceeding. Your anticipated cooperation will be appreciated.

**Modification**

Any of the provisions of this Prehearing Order may be modified upon motion and good cause shown by any party in interest.

Date: January 14, 2021

\_\_\_\_\_  
/s/  
Mary D. Long  
Administrative Law Judge

## APPENDIX A

### INSTRUCTIONS FOR BRIEFS

Each brief shall follow the general organization shown herein.

Adjustments contained in each brief shall:

- a. Be based on a specific test year, to be selected before the close of record;
- b. be complete and self-contained;
- c. include accurate reference to the appropriate record sources;
- d. be on a before-income-tax basis;
- e. be detailed to demonstrate the step-by-step calculation of that adjustment together with appropriate accurate record references;
- f. include concomitant rate base, revenue, expense, depreciation expense, and tax adjustments set forth, together with the details of their calculation;
- g. include with the brief those calculations which are the basis for proposed adjustments but which are incomplete on the record.

Tables showing all proposed rate base and income adjustments shall be submitted with each brief which includes such adjustment.

#### STANDARD FORMAT

- I. Introduction
- II. Summary of Argument
- III. Rate Base
  - A. Fair Value
  - B. Plant in Service
  - C. Depreciation Reserve
  - D. Additions to Rate Base
  - E. Conclusion
- IV. Revenues

V. Expenses

VI. Taxes

VII. Rate of Return

VIII. Miscellaneous Issue(s)

IX. Rate Structure

A. Cost of Service

B. Revenue Allocation

C. Tariff Structure

D. Summary and Alternatives

X. Conclusion

**R-2020-3022134 - PA PUBLIC UTILITY COMMISSION v. PIKE COUNTY LIGHT & POWER COMPANY - GAS**

**&**

**R-2020-3022135 - PA PUBLIC UTILITY COMMISSION v. PIKE COUNTY LIGHT & POWER COMPANY - ELECTRIC**

*Revised 1/12/21*

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*Complainant C-2020-3022920 (Gas)  
and C-2020-3022921 (Electric)*

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# **EXHIBIT B**

## **EXHIBIT B**

Pennsylvania Public Utility Commission v. Pike County Light & Power Company – Gas Division; Docket No. R-2024-3052357

### **PIKE COUNTY LIGHT & POWER COMPANY – GAS DIVISION’S RESPONSES TO BUREAU OF INVESTIGATION & ENFORCEMENT’S DATA REQUESTS SET RR NOS. 1-6**

**I&E-RR-1-D** Reference Pike Gas Exhibit G-2, Schedule 1. Provide the actual capital structures for Pike Gas operations only, independent from the combined gas and electric operations of Pike County Light and Power Company for years ended September 30, 2022 and September 30, 2023.

**RESPONSE:** Pike notes that Pike is one company that operates both a gas and electric utility as a single business entity. The exhibit presented is the capital structure for Pike County Light & Power Company, both gas and electric. The Company has not developed individual capital structures for gas versus electric. The Company has separated rate base and cost of equity rate of return between gas and electric.

**PROVIDED BY:** Matthew Lennox, Controller

**DATE:** January 16, 2025

## **EXHIBIT B**

Pennsylvania Public Utility Commission v. Pike County Light & Power Company – Gas Division; Docket No. R-2024-3052357

### **PIKE COUNTY LIGHT & POWER COMPANY – GAS DIVISION’S RESPONSES TO BUREAU OF INVESTIGATION & ENFORCEMENT’S DATA REQUESTS SET RR NOS. 1-6**

**I&E-RR-3-D** Reference Pike Gas Exhibit G-2, Schedule 2, pp. 1-2. Identify the outstanding long-term debt balances and associated costs that are applicable to Pike Gas operations only, independent from the combined gas and electric operations of Pike County Light and Power Company.

**RESPONSE:** Pike notes that Pike is one company that operates both a gas and electric utility as a single business entity. The exhibit presented is the capital structure for Pike County Light & Power Company, both gas and electric. The Company has not separated the cost of debt between gas and electric. We only separate rate base and cost of equity between gas and electric. Refer to the Excel version of the file provided for all calculations. Pike does not separately finance its long term debt for gas and electric. Doing so would be cost prohibitive.

**PROVIDED BY:** Matthew Lenns, Controller

**DATE:** January 17, 2025

## CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

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/s/ Whitney E. Snyder  
Whitney E. Snyder  
Erich W. Struble

DATED: February 7, 2025