



McNees Wallace & Nurick LLC  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166

**Adeolu A. Bakare**  
Direct Dial: 717.237.5290  
Direct Fax: 717.260.1744  
abakare@mcneeslaw.com

June 2, 2025

Matthew L. Homsher, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor  
Harrisburg, PA 17120

**VIA ELECTRONIC FILING**

**RE: Pennsylvania Public Utility Commission v. Citizens' Electric Company of Lewisburg, PA;  
Docket No. R-2025-3054394**

**Pennsylvania Public Utility Commission v. Valley Energy, Inc.  
Docket No. R-2025-3054393**

**Pennsylvania Public Utility Commission v. Wellsboro Electric Company  
Docket No. R-2025-3054392**

Dear Secretary Homsher:

Attached for filing with the Pennsylvania Public Utility Commission is the Motion of Citizens' Electric Company of Lewisburg, PA, Wellsboro Electric Company, and Valley Energy, Inc. to Consolidate Base Rate Proceedings.

If you have any questions regarding the attached documents, please feel free to contact the undersigned. As shown by the attached Certificate of Service, the parties to this proceeding are being duly served with a copy of this filing. Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Adeolu A. Bakare', written over a horizontal line.

Adeolu A. Bakare  
MCNEES WALLACE & NURICK LLC

Counsel to Citizens' Electric Company of Lewisburg, PA,  
Wellsboro Electric Company and Valley Energy, Inc.

c: Mary D. Long, Administrative Law Judge (via e-mail)  
Certificate of Service

## CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the participants, listed below, in accordance with the requirements of Section 1.54 (relating to service by a participant).

### VIA EMAIL

Steven C. Gray, Esq.  
Rebecca Lyttle, Esq.  
Small Business Advocate  
Commonwealth of Pennsylvania  
Office of Small Business Advocate  
Forum Place  
555 Walnut Street, 1st Floor  
Harrisburg, PA 17101  
[sgray@pa.gov](mailto:sgray@pa.gov)  
[relyttle@pa.gov](mailto:relyttle@pa.gov)

Melanie Joy El Atieh, Esq.  
Ryan Morden, Esq.  
Barrett C. Sheridan, Esq.  
Aiden McEvoy, Paralegal  
Lori Arnsparger, Paralegal  
Office of Consumer Advocate  
555 Walnut Street  
Forum Place, 5th Floor  
Harrisburg, PA 17101  
[MElAtieh@paoca.org](mailto:MElAtieh@paoca.org)  
[RMorden@paoca.org](mailto:RMorden@paoca.org)  
[BSheridan@paoca.org](mailto:BSheridan@paoca.org)  
[amcevoy@paoca.org](mailto:amcevoy@paoca.org)  
[larnspargere@paoca.org](mailto:larnspargere@paoca.org)

Michael Podskoch, Jr., Esq.  
Adam J. Williams, Esq.  
Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
P. O. Box 3265  
Harrisburg, PA 17105-3265  
[mpodskoch@pa.gov](mailto:mpodskoch@pa.gov)  
[adawilliam@pa.gov](mailto:adawilliam@pa.gov)

Todd S. Stewart, Esq.  
HMS Legal LLP  
501 Corporate Circle, Suite 302  
Harrisburg, PA 17110  
[tsstewart@hmslegal.com](mailto:tsstewart@hmslegal.com)  
*Counsel for Kelly Road Solar, LLC,  
Lancaster Avenue Solar, LLC and Twilight  
Renewables,  
LLC*

Zachary and Ashley Wattles  
188 Butler Road  
Wellsboro, PA 16901  
[a.wattles@outlook.com](mailto:a.wattles@outlook.com)



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Adeolu A. Bakare

Counsel to Citizens' Electric Company of  
Lewisburg, PA, Wellsboro Electric  
Company and Valley Energy, Inc.

Dated this 2<sup>nd</sup> day of June, 2025, in Harrisburg, Pennsylvania.



## **I. INTRODUCTION**

1. This Motion requests that the presiding Administrative Law Judge ("ALJ") consolidate the three above-captioned proceedings for purposes of discovery and hearings. The above-referenced proceedings are base rate tariff filings made by the Companies on April 30, 2025.

2. Consolidation of the above-captioned proceedings is appropriate for several reasons. First, as discussed in detail below, because the Companies are wholly owned subsidiaries of C&T, various common issues of fact exist between the proceedings.

3. Second, consolidation of these proceedings will provide quantifiable administrative efficiencies. For example, the Companies are using common witnesses for such issues as revenue allocation, rate of return and the financial implications of the rate requests.

4. Finally, the consolidation for purposes of discovery and hearings will provide a common and appropriate foundation for record development, review, and litigation of the relevant overlapping issues in both cases.

## **II. BACKGROUND**

5. In accordance with Section 1308(d) of the Pennsylvania Public Utility Code, and Section 53.52 of the Commission's Regulations, on April 30, 2025, the Companies each filed a 2025 Base Rate Filing with the Commission. See 66 Pa. C. S. § 1308(d); see 52 Pa. Code § 53.52. These filings request implementation of new distribution rates and certain tariff changes.

6. On May 22, 2025, the Commission issued Orders suspending the effective date for Citizens', Wellsboro's, and Valley's proposed tariff changes to January 29, 2026, and

assigning the rate cases to the Office of Administrative Law Judge ("OALJ") for hearings and the issuance of a Recommended Decision.

7. On May 22, 2025, ALJ Mary D. Long issued a Prehearing Conference Order in each docket directing interested parties to file Prehearing Conference Memoranda by June 2, 2025, in preparation for a Prehearing Conference to be held on June 3, 2025.

8. Citizens', Wellsboro, and Valley filed a Prehearing Conference Memorandum proposing, *inter alia*, consolidation of the rate cases for litigation and hearings. As will be discussed at the Prehearing Conference, the Companies are also filing the instant Motion to Consolidate the rate cases.

### **III. MOTION FOR CONSOLIDATION**

9. 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. In addition, the Regulations allow the Commission or the presiding officer to consider such factors as avoidance of "unnecessary costs or delay." *Id.* Under both of these standards, consolidation of the above-captioned proceedings is appropriate.

10. As noted above, Citizens', Wellsboro, and Valley are owned and operated by C&T. C&T, an unregulated holding company, is jointly owned by two rural electric power cooperatives, Claverack Rural Electric Cooperative, Inc. ("Claverack"), and Tri-County Rural Electric Cooperative, Inc. ("Tri-County"). In its current capacity, C&T provides shared services to all five companies (*i.e.*, its two parent companies as well as to Citizens', Wellsboro, and Valley).

11. This common ownership, coupled with C&T's provision of shared services, results in various common issues of fact in the above-referenced proceedings. For example,

because of the corporate structure of the C&T family, expenses for C&T's shared services must be allocated fairly between all five of the companies. The allocation methodology not only represents a common issue between the Companies' cases, but it is also important that this issue is addressed consistently in each proceeding.

12. Another common issue between the three proceedings will be the proposed use of a consistent hypothetical capital structure. Because the Companies are both owned by C&T and present similar risks as smaller utilities, a consistent method regarding a hypothetical capital structure should be applied. Consolidating the above-referenced proceedings will provide an opportunity to adequately address this issue simultaneously for all three Companies.

13. Consolidation of the three cases would also promote administrative efficiency. See Derek Suggs & Beverly Marell v. The Bell Telephone Company, Docket No. F-00162258, (Order entered July 15, 1993). Consolidation would avoid the unnecessary costs and delay associated with addressing utility operational expense levels as well as other common ratemaking elements in separate proceedings. Consolidation will avoid the need for separate hearings, participation by the same parties in separate proceedings, and the duplication of witnesses, discovery, testimony, and cross-examination. As previously mentioned, the Companies will utilize the same witnesses for rate structure, C&T allocated expenses, rate design, and rate of return. The Companies further note that none of the intervening parties have communicated opposition for consolidation of the rate cases. Additionally, in Citizens' and Valley's most recent base rate cases, at Docket Nos. R-2022-3032369 and R-2022-3032300, the Commission consolidated the rate case dockets following a Motion to Consolidate.

14. While the data presented for each of the Companies will vary, as in the aforementioned prior base rate proceedings, the commonality of issues and policy considerations

in these proceedings support common hearings. The Companies request a similar treatment as provided to another group of commonly owned utilities, the Metropolitan Edison Company, the Pennsylvania Electric Company, the Pennsylvania Power Company, and West Penn Power Company. See generally PA PUC v. Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company, and West Penn Power Company, Docket Nos. R-2016-2537349, R-2016-2537352, R-2016-2537355 and R-2016-2537359 (Order entered January 19, 2017). In that proceeding, the Commission was fully able to consolidate the four dockets and still adjudicate and document the appropriate separate calculations and adjustments for each of the utilities. A similar opportunity should be provided for the Companies in the proceedings represented by this Motion.

15. The Companies' request is both consistent with Pennsylvania law and within the Commission authority. See Pennsylvania Public Utility Commission v. Dauphin Consolidated Water Supply Company & General Waterworks of Pennsylvania, Inc., Docket No. R-00932604, (Order entered July 9, 1993) (permitting the consolidation of two separate base rate cases filed by two corporate entities with the nexus being that they were subsidiaries of another company). For the reasons discussed above, Citizens', Wellsboro, and Valley respectfully request that the above-referenced dockets be consolidated for purposes of discovery and hearings. If this request is granted, the Companies will work with the presiding ALJ and the participating parties to ensure that an identifiable and separable record is created to support both requests.

**IV. CONCLUSION**

**WHEREFORE**, Citizens' Electric Company of Lewisburg, PA, Wellsboro Electric Company, and Valley Energy, Inc. respectfully request that in accordance with 52 Pa. Code § 5.81, the presiding Administrative Law Judge grant this Motion to Consolidate.

Respectfully submitted,

McNEES WALLACE & NURICK LLC

By 

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Adeolu A. Bakare (PA I.D. No. 208541)  
Matthew L. Garber (PA I.D. No. 322855)  
Rebecca Kimmel (PA I.D. No. 335097)  
Victoria A. Geddis (PA I.D. No. 335500)  
McNEES WALLACE & NURICK LLC  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17101-1166  
Phone: (717) 232-8000  
Fax: (717) 237-5300  
[abakare@mcneeslaw.com](mailto:abakare@mcneeslaw.com)  
[mgarber@mcneeslaw.com](mailto:mgarber@mcneeslaw.com)  
[rkimmel@mcneeslaw.com](mailto:rkimmel@mcneeslaw.com)  
[vgeddis@mcneeslaw.com](mailto:vgeddis@mcneeslaw.com)

Pamela Polacek (PA I.D. No. 78276)  
C&T Enterprises, Inc.  
P.O. Box 129  
Venetia, PA 15367  
Phone: (570) 724-9469  
Fax: (570) 724-3996  
[ppolacek@ctenterprises.org](mailto:ppolacek@ctenterprises.org)

Counsel to Citizens' Electric Company of Lewisburg, PA,  
Wellsboro Electric Company, and Valley Energy, Inc.

Dated: June 2, 2025