

COMMONWEALTH OF PENNSYLVANIA

PUBLIC UTILITY COMMISSION

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 Pennsylvania Public Utility Commission : Docket No.
 V. PPL Gas Utilities Corporation :
 : R-00061398
 Initial telephonic prehearing conference :
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Pages 1 through 31 Hearing Room No. 1
 13th Floor, State Office Building
 Broad and Spring Garden Streets
 Philadelphia, Pennsylvania

Tuesday, July 18, 2006

Met, pursuant to notice, at 1:40 p.m.

BEFORE:

ANGELA T. JONES, Administrative Law Judge

APPEARANCES:

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 (For PPL Gas Utilities Corporation)

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C O N T E N T S

WITNESSES

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E X H I B I T S

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P R O C E E D I N G S

ADMINISTRATIVE LAW JUDGE

ANGELA T. JONES: This is the time and place set aside for a prehearing conference in the matter of the Pennsylvania Public Utility Commission versus PP&L Gas Utilities Corporation at Docket Nos. R-00061398. Accompanying that docket are complaints filed against PP&L Gas Utilities Corporation by OSBA at R-00061398C001. Also there is a complaint filed against PP&L Gas by the Office of Consumer Advocate. That is at Docket C-0002. And also there is the complaint filed against PP&L Gas by Ms. Mary Gummo. That is at C-0003.

I am Administrative Law Judge Angela T. Jones assigned by the Commission to preside over this matter.

I note that we are conducting this prehearing conference telephonically. There are parties in Philadelphia with me. The court reporter is with me in Philadelphia. There are parties in Harrisburg. And there is one party in Wilkes Barre. And we are all connected by phone.

The parties appearing in Philadelphia are as follows: Ms. Margaret A. Morris, Esquire representing Transcontinental Gas Pipe Line Corporation. And Mr. Glen Thomas, Esquire representing Hess Corporation.

1 I understand there are parties in
2 Harrisburg. The party for Office of Trial Staff, I
3 believe, is Mr. Charles Shields, Esquire.

4 MR. SHIELDS: That's correct, Your Honor.
5 I use my full middle name, Charles Daniel Shields, please.

6 JUDGE JONES: Very well. Charles Daniel
7 Shields, Esquire.

8 The Office of Consumer Advocate is
9 represented by whom?

10 MS. SHERIDAN: Your Honor, this is
11 Barrett Sheridan and with me is Dave Evrard.

12 JUDGE JONES: Very well. Ms. Barrett
13 Sheridan and Mr. Dave Evrard are representing the Office
14 of Consumer Advocate.

15 The Office of Small Advocate, I believe
16 Ms. Webb?

17 MR. ASMUS: No, Your Honor. This is
18 Daniel Asmus. Ms. Webb is in Pittsburgh today. I am
19 filling in for her.

20 JUDGE JONES: Very well. Thank you,
21 Mr. Asmus.

22 The PP&L Gas Large Users Group?

23 MR. BENSHOFF: Yes, Your Honor. This is
24 Adam Benshoff. I am here on behalf of the PP&L Large Gas
25 Users Group.

1 JUDGE JONES: Thank you, Mr. Benshoff.
2 And PP&L Gas Utilities Corporation?

3 MR. ISOM: Good afternoon, Your Honor.
4 This is John Isom with the law firm of Post & Schell.

5 JUDGE JONES: Are those all the parties in
6 Harrisburg?

7 MR. SHIELDS: That's correct, Your Honor.

8 JUDGE JONES: Okay.

9 And we also have Mr. Vullo, Esquire,
10 representing the Commission on Economic Opportunity.

11 MR. VULLO: That's correct.

12 JUDGE JONES: I think all of the
13 above-mentioned parties are endeavoring to comply with my
14 prehearing order. The prehearing memoranda give rise to
15 some preliminary matters that I would like to address.

16 First, those without controversy, I
17 believe. Any objections to the petition to intervene or
18 motion to intervene of Transcontinental Gas Pipe Line
19 Corporation?

20 MR. ISOM: No objection.

21 MR. SHIELDS: Not here in Harrisburg,
22 Judge.

23 JUDGE JONES: Thank you. Hearing no
24 objection, that motion is granted.

25 Any objection to the petition to intervene

1 for PP&L Gas Large Users Group?

2 (No audible response.)

3 JUDGE JONES: Hearing none, that petition
4 is granted.

5 Any objections to the petition to
6 intervene of Hess Corporation?

7 (No audible response.)

8 JUDGE JONES: Hearing none, that petition
9 is granted.

10 I note the objection of the PP&L Gas
11 Corporation filed on June 5 to the petition to intervene
12 of the Commission on Economic Opportunity. I also note
13 the response to the objection filed by the Commission on
14 Economic Opportunity by Mr. Vullo on June 19, 2006.

15 I am ready to rule on that matter unless
16 there is additional information the parties wish for me to
17 consider.

18 MR. ISOM: This is Mr. Isom.

19 I have nothing further at this time.

20 MS. SHERIDAN: Your Honor, this is Barrett
21 Sheridan for the Office of Consumer Advocate.

22 I would note in the company's pleadings
23 they suggest that the Office of Consumer Advocate would
24 represent the same interests as the Commission on Economic
25 Opportunity. There is precedent which does say that even

1 if the OCA is a party other consumer interests may
2 participate. It is the South River Partners case at 673
3 A. 2nd, 422. I would just suggest that Your Honor
4 consider that in your ruling.

5 JUDGE JONES: Thank you, Ms. Sheridan.

6 I find that the CEO is a person as defined
7 in the Commission's regulations at section 1.8 and has an
8 interest in the elderly and low income residential
9 customers of Luzerne County, which is a subset of the
10 customers that the Office of Consumer Advocate would be
11 representing. And as that subset that they would be
12 specifically interested in those issues concerning the
13 Luzerne County residents to further the public interest.
14 Therefore, I am approving the petition to intervene for
15 CEO.

16 MR. VULLO: Thank you, Your Honor.

17 JUDGE JONES: You're welcome, Mr. Vullo.
18 Have all the parties received reach others
19 memoranda?

20 MS. MORRIS: No, Your Honor.

21 JUDGE JONES: I do note that Ms. Morris
22 has said that she has not received all the parties'
23 memoranda. I would suggest in my order that will be a
24 written order considering what has transpired today, I
25 will be providing an e-mail list of all parties, Counsel

1 represented before me. I note that we will have
2 Ms. Morris' e-mail address in that order. I suggest that
3 the parties take the opportunity to ask Ms. Morris if she
4 will agree to service by electronic mail and then do so.

5 Are there any other parties that have not
6 received memoranda?

7 (No audible response.)

8 JUDGE JONES: Okay. Very well.

9 I did discuss this off the record but on
10 the record I would like to state that I am receptive to
11 receiving items from the parties by electronic mail.
12 However, please make sure that you send a hard copy
13 followed either by next day service or first class mail.

14 I will be providing my e-mail address.
15 There are some parties that do not have my correct e-mail
16 address. My e-mail address will be provided in the
17 subsequent order after this proceeding. So there should
18 not be any discrepancy as to what my e-mail address is.

19 Mr. Shields, this next part is for you. I
20 note in your prehearing memorandum that you request in
21 addition to Counsel witnesses be included in any e-mail
22 distribution list. I will not be providing any witnesses
23 in my e-mail distribution list. You can use a forward key
24 if I wish to distribute what I am providing to any other
25 party that you believe is appropriate. However, I will

1 not be maintaining a witness list as well as a Counsel
2 list by electronic mail. My list will be of Counsel only.

3 MR. SHIELDS: This is Mr. Shields, Your
4 Honor.

5 I understand that most Administrative Law
6 Judges typically do that. I would just as a courtesy if
7 the parties could remember to do that. We would be happy
8 to reciprocate. I am familiar with all the Counsel
9 sitting around here in Harrisburg and I think they know
10 that often times they are out of the office and when you
11 copy their expert often times particularly for some of the
12 OCA and OSBA witnesses their witnesses may literally get
13 information and electronic documents days before they
14 otherwise would. So I understand what Your Honor's
15 position is on it and I would just reiterate to the extent
16 that the parties could provide that courtesy to us we
17 would be happy to do so for them.

18 JUDGE JONES: Thank you, Mr. Shields.

19 I particularly thank Mr. Isom, I believe,
20 as Ms. Sheridan for providing a schedule for the
21 proceedings for the parties to consider.

22 Have the parties come to any agreement to
23 the scheduling for this matter?

24 MS. SHERIDAN: Your Honor, this is
25 Barrett Sheridan.

1 I would note that Mr. Isom did circulate a
2 proposed schedule among the parties last week and OCA
3 worked from that, consulting with the OCA consultant, and
4 so our schedule does differ from the company's in that it
5 takes into account the availability dates Your Honor had
6 indicated in briefing the case and the concerns of the OCA
7 consultants.

8 Trial Staff has indicated that they are
9 agreeable and support the OCA proposed schedule, and OSBA
10 as well.

11 I will let Mr. Isom speak to the
12 differences and whether there is a need for any
13 compromise.

14 MR. ISOM: If I can inquire first, Your
15 Honor, do the parties in Philadelphia, and Mr. Vullo, have
16 any objection to the OCA schedule?

17 MR. THOMAS: No, Your Honor.

18 MR. VULLO: On behalf of the CEO we join
19 in that schedule.

20 JUDGE JONES: The parties in Philadelphia
21 have indicated that they have no objection.

22 MR. ISOM: Then the company can accept the
23 OCA schedule.

24 JUDGE JONES: Very well. Okay. Thank
25 you, parties. That makes my job a little bit easier.

1 I note also in compliance with 52 Pa.
2 Code, section 1.54(c), Ms. Gummo will be served Commission
3 orders, written testimony, main briefs and reply briefs
4 and any other documents that the parties at their
5 discretion believe she needs to consider unless Ms. Gummo
6 should elect otherwise in writing. I will be submitting
7 this in my order and Ms. Gummo should submit her request,
8 if she should choose to do so, in writing on or before
9 July 31, 2006, if she desires any other documents than
10 those I have outlined.

11 I note the request of Counsel for OCA
12 regarding modification to the rules of discovery. I would
13 like to consider the last three items, eight through ten,
14 in a different context.

15 Are there any objections to the
16 modifications proposed by OCA under the procedural rules
17 of one through seven inclusive?

18 MR. ISOM: Your Honor, this is Mr. Isom
19 for the company.

20 I would just like to note that the
21 shortening of the general response time to ten days in
22 item number we can accept as a best efforts basis,
23 understanding that the other parties are not subject to
24 any limitation on the number of interrogatories that they
25 may ask and if we get hit with a large number it may just

1 be impossible for us to turn it all around in ten days.

2 JUDGE JONES: Understood, Mr. Isom. I
3 believe that is reasonable.

4 MS. SHERIDAN: Your Honor, this is
5 Ms. Sheridan for OCA.

6 These are modifications that we have asked
7 for in other energy cases and we do understand that it is
8 a best effort. The OCA has had no difficulties from the
9 company in receiving prompt turnaround on interrogatories
10 replies. So as Counsel says, best efforts.

11 MR. ISOM: The other thing --

12 MS. SHERIDAN: I was just going to say I
13 do expect OCA will be filing another set of discovery
14 today or tomorrow and to the extent the company can
15 provide the answers in advance of the OCA testimony date
16 we would appreciate it. It was not meant to sneak under
17 the ten day modification.

18 MR. ISOM: If I can just address one more
19 issue, Your Honor. Item number seven, request for
20 admissions, two observations: One, frequently in
21 litigation the admission on a request for admission can be
22 devastating in a proceeding and I think that it is unduly
23 harsh in the context of litigation to have only ten days
24 to respond to that particular form of discovery. I think
25 we should stick to the normal time period under the rules.

1 And I note also, I've been in these base
2 rate cases starting in 1978 and I have yet to see anyone
3 use a request for admissions. So I don't think we are
4 taking a useful tool away from the OCA. Again, I'm not
5 saying they can't use them, just have a normal time period
6 under the rules to reply.

7 MS. SHERIDAN: Your Honor, the OCA can
8 acquiesce to what Mr. Isom is requesting. I have at least
9 one colleague in mind who has used this. But we can go
10 under the Commission's rules without modification.

11 MR. ISOM: Thank you.

12 JUDGE JONES: Thank you. Very well. I
13 will note in my order that the modifications are as
14 requested by OCA from one through six, noting that the
15 request at seven is in essence withdrawn and we are using
16 the request for admissions as prescribed in the
17 Commission's rules.

18 I did note off the record and now will
19 note on the record as far as the proposal under procedural
20 rules, OCA memorandum number eight, we have a consensus as
21 far as using the proposed schedule for this proceeding
22 that OCA provided. My concern is that answers to on the
23 record data requests be served in hand within seven
24 calendar days of the request is not workable because the
25 record is closing on the last day of hearings as proposed

1 by the OCA.

2 MR. SHIELDS: Your Honor, this is
3 Mr. Shields for OTS.

4 I have a suggestion on that issue. May I
5 be allowed to address it?

6 JUDGE JONES: Certainly, Mr. Shields.

7 MR. SHIELDS: Judge, my suggestion is that
8 on the rare occasions these days -- years ago we used to
9 use on the record data requests a lot more. On the rare
10 occasions when they do occur at the evidentiary hearings
11 the parties typically ask that the record remain open for
12 receipt of responses to on the record data requests and
13 also typically Counsel for the witness of who the request
14 is made will typically give an indication of how long that
15 may be. In my experience it is usually within 24 to 48
16 hours. So perhaps we need not address the timeframe for
17 Respondent's on the record date requests at this point and
18 if in fact it does arise and there are hearings maybe we
19 could proceed in the manner that I just indicated.

20 JUDGE JONES: Is there any objection to
21 the proposal proposed by Mr. Shields?

22 MS. SHERIDAN: Your Honor, this is
23 Ms. Sheridan.

24 What Mr. Shields outlines is consistent
25 with the OCA's experience and I am much happier to iron

1 this out instead of being a bump in the road when there
2 are hearing. But that was our expectation, that in the
3 event there were some items of information that did
4 require a witness to check records, circle back and supply
5 the parties, that there would be that exception to the
6 closing of the record. We will all have witnesses
7 presented for cross-examination and it should be a fairly
8 neutral factor.

9 JUDGE JONES: Okay. Very well. The
10 parties will handle the on the record data requests when
11 it does arise if it does arise during the evidentiary
12 hearings.

13 As far as proposals nine and ten, nine is
14 what is commonly known as the Friday service rule. Are
15 there any objections to that?

16 (No audible response.)

17 JUDGE JONES: Hearing none, that
18 modification is accepted.

19 And the in-hand service, noting that you
20 must have an agreement first before you utilize the
21 in-hand service, are there any objections to that
22 proposal?

23 MR. ISOM: This is Mr. Isom, Your Honor.

24 I would like, if we could, to have the
25 rule modified to indicate that parties who have not

1 provided electronic addresses can served by first class
2 mail on the due date. So as to people who have not
3 provided electronic addresses service would be timely made
4 by depositing the document or whatever it is in the mail.

5 JUDGE JONES: Okay. So the mailbox rule
6 would apply for those that do not have e-mail addresses?

7 MR. ISOM: That's correct.

8 MR. SHIELDS: This is Mr. Shields of the
9 OTS.

10 I think that is an excellent idea, Judge,
11 particularly for, perhaps, Ms. Gummo who has filed a
12 complaint in this proceeding.

13 JUDGE JONES: Okay. I am not hearing any
14 objection. Are the parties agreeable to that
15 modification?

16 (No audible response.)

17 JUDGE JONES: Very well. The OCA proposal
18 of in-hand service will be granted with the modification
19 that Mr. Isom proposed. If there are no e-mail addresses
20 for a party then service in first class mail that date is
21 deemed the date of service.

22 The OCA has stated in its memorandum that
23 it will address public input hearings. Ms. Sheridan, I am
24 willing to here your discussion on that matter now.

25 MS. SHERIDAN: Thank you, Your Honor.

1 I would note that there have been rate
2 protest letters filed with the Commission. I have
3 obtained copies through the Bureau of Consumer Services.
4 They reflect customer concerns scattered around the
5 company's service territory, but the predominant number of
6 customers are from what would be called the old North Penn
7 Gas territory in the northern tier counties of Bradford,
8 Tioga, Potter and McKean Counties.

9 In the last base rate case for the PSG and
10 North Penn Gas there were two public input hearings
11 scheduled in Coudersport and Wellsboro and I do understand
12 they did draw customers and public input testimony.

13 The OCA would request the scheduling of a
14 public input hearing in either of those two communities,
15 Coudersport or Wellsboro.

16 Ms. Gummo, the formal consumer
17 complaintant is in West Port. There are letters from
18 letters from Ulysses, Covington, Eldridge. I am drawing a
19 blank on the other communities. Mansfield. So the OCA
20 would appreciate Your Honor and the parties participating,
21 arranging and participating, in public input hearings.

22 JUDGE JONES: Ms. Sheridan, if I
23 understand you correctly, you are proceeding two public
24 inputs, one in Coudersport and one in Wellsboro?

25 MS. SHERIDAN: Your Honor, OCA would

1 request the scheduling of a public input hearing in one
2 location. As I indicated, maybe the largest contiguous
3 portion of the company's service territory is in the old
4 North Penn Gas territory and either of those, based on my
5 experience doing gas cases and other rate cases in those
6 areas, there is a history of customer turnout. I
7 participated in the North Penn Gas maybe ten years ago and
8 there were public input hearings held in the Potter County
9 Courthouse in Coudersport and that was well attended.

10 JUDGE JONES: Okay. Are there any
11 objections to a proposed public input hearing?

12 Ms. Sheridan, are you proposing one day
13 with two sessions, one in the afternoon, one in the
14 evening? I need more specifics on your proposal.

15 MS. SHERIDAN: Your Honor, I would expect
16 that one session would suffice and I guess my experience
17 was an evening session. So that would be the OCA's first
18 choice.

19 JUDGE JONES: Okay. Is there any
20 objection to the proposal of the OCA for public inputs?

21 (No audible response.)

22 JUDGE JONES: Very well. There will be
23 one public input.

24 Ms. Sheridan, I anticipate that the OCA
25 will be assisting the Office of Administrative Law Judge

1 in providing a place as well as coordinating with any
2 management at that place.

3 MS. SHERIDAN: Yes, Your Honor.

4 JUDGE JONES: As well as setting up
5 appropriately for the public input.

6 MS. SHERIDAN: Yes, Your Honor.

7 JUDGE JONES: Very well.

8 Is there a date that you have proposed?

9 MS. SHERIDAN: Your Honor, I have not
10 gotten that far. I thought it advisable to have hearings
11 scheduled according to your availability.

12 JUDGE JONES: Okay. What we will do is we
13 will work, as I have indicated, the OCA and the OALJ, will
14 work together as far as making accommodations and
15 proposing a date for the parties. I am hopeful that that
16 can be done quickly, Ms. Sheridan.

17 MS. SHERIDAN: Yes, Your Honor.

18 JUDGE JONES: Now, while we are talking
19 about proposed public input meetings, we need to talk
20 about the actual site for the evidentiary hearings. Let
21 me ask Mr. Isom, since this is your rate case, do you have
22 a preference, sir, as to where you wish to have the
23 evidentiary hearings conducted?

24 MR. ISOM: Well, yes, Your Honor. It
25 would be certainly more convenient for PPL Gas Utilities

1 Corporation that the hearings be held in Harrisburg, and I
2 think I have a consensus of the people located in this
3 courtroom or hearing room that their preference also would
4 be Harrisburg.

5 JUDGE JONES: That does not surprise me,
6 Mr. Isom.

7 Mr. Vullo?

8 MR. VULLO: My preference is Wilkes Barre
9 but I would certainly understand Harrisburg being the
10 choice.

11 JUDGE JONES: Very well, sir.

12 And the parties in Philadelphia?

13 MS. MORRIS: No objection, Your Honor.

14 MR. THOMAS: Harrisburg is fine.

15 JUDGE JONES: Okay. By consensus we will
16 have the hearing in Harrisburg. I am hopefully making
17 some people's day today with that ruling. I hope you are
18 appreciative.

19 Mr. Isom, it has been my practice to ask
20 the party that is bringing the actual proceeding forward
21 to the Commission to coordinate by agreement with the
22 other parties the order of the witnesses that are going to
23 be presented. And I usually would like that witness list
24 to me at least one day prior to the hearings.

25 Now, I am asking for a witness list. If

1 you would like to overachieve on my request you can also
2 provide me the amount of time that it would take for
3 cross-examination as well as direct for each witness and
4 then dates that they will be presented as well as whether
5 it will be in the morning or in the afternoon.

6 Mr. Isom, do you understand my request?

7 MR. SKWRAO: I believe so, Your Honor, and
8 I can endeavor to overachieve as you have indicated.

9 I might note on the hearing schedule, I
10 say it is okay with us and by that I mean all of our
11 witnesses but one -- and I will get to that in a minute --
12 are available on at least one of those days. I cannot
13 tell you that all witnesses are available all three days.

14 JUDGE JONES: I understood that from
15 something that I read in your prehearing memorandum,
16 Mr. Isom.

17 MR. ISOM: Thank you.

18 And the one witness, he is out of the
19 country those three days that the OCA suggested. That is
20 Mr. Beard, who testifies primarily on gas losses from
21 storage. We can do one of several things, and I suggest
22 that we just wait and see how things develop. I don't
23 think we need to address it today. Either we can have him
24 testify via a deposition earlier than the hearings or we
25 can substitute another witness who will adopt Mr. Beard's

1 testimony. So we can deal with that situation one way or
2 another.

3 JUDGE JONES: Thank you, Mr. Isom. I
4 prefer to deal with it when it arises because it may not
5 arise.

6 MR. ISOM: I agree, Your Honor.

7 JUDGE JONES: Do the parties wish to
8 consider modification of the transcript turnaround today?
9 (No audible response.)

10 JUDGE JONES: I do not hear anything so I
11 assume that the parties will handle that closer to the
12 evidentiary hearing dates.

13 MR. ISOM: Can I just confirm, Your Honor,
14 that in a rate case the standard turnaround is three
15 business days?

16 JUDGE JONES: That's correct, Mr. Isom.

17 MR. ISOM: Thank you.

18 JUDGE JONES: Let me emphasize that the
19 Commission approves and encourages settlements. I note
20 that there is a provision in the proposed schedule by OCA
21 of settlement conferences. Please use them to the utmost.

22 Also consider stipulations. Stipulations
23 do reduce the amount of time for hearing.

24 I am under the assumption that we are
25 scheduling three days. Do we need all three days for

1 evidentiary hearings?

2 MR. ISOM: This is Mr. Isom.

3 I hope not but I would be concerned about
4 cancelling them this early.

5 JUDGE JONES: Okay. Well, in the
6 framework of settlement conferences and stipulations
7 please consider that we may reduce the evidentiary
8 hearings by at least stipulations if not settlements.

9 I would also need to be informed as to
10 whether we are indeed proceeding with all three hearings
11 or some lesser number so that the Commission does not
12 spend needlessly money for a court reporter, for one
13 thing, as well as my travel to Harrisburg.

14 MR. SHIELDS: Your Honor, this is
15 Mr. Shields.

16 As I have typically done in almost any
17 proceeding, I will encourage and coordinate with the
18 parties to inform the presiding Administrative Law Judge,
19 in this case, Your Honor, of any developments as soon as
20 they occur so that you are apprised as quickly as
21 possible.

22 JUDGE JONES: Thank you, Mr. Shields.

23 I appreciate the cooperation among the
24 parties, which is apparent from the prehearing memoranda
25 that I have received, as well as your best efforts.

1 I have, I believe, concluded all those
2 matters that I wish to clarify from your prehearing
3 memorandum. Is there anything further that the parties
4 wish to bring before me today?

5 MR. SHIELDS: Mr. Shields, again, Your
6 Honor.

7 Just to reiterate what you indicated to us
8 off the record, since the court reporter is in Pittsburgh,
9 the Harrisburg parties will file our respective
10 preliminary memorandum directly in the Secretary rather
11 than send it to the court reporter.

12 JUDGE JONES: Yes. The court reporter is
13 in Philadelphia, not Pittsburgh, Mr. Shields.

14 MR. SHIELDS: Did I say Pittsburgh?

15 JUDGE JONES: Yes.

16 MR. SHIELDS: When the Judge's aren't in
17 Harrisburg I get confused. I'm sorry, Judge.

18 JUDGE JONES: Okay.

19 Mr. Thomas, you had something else which
20 you wished to bring before me?

21 MR. THOMAS: I was just wondering if we
22 might be able to get clarification on the settlement
23 conference. Since July 28 is next week, I was wondering
24 if we might be able to get an idea when we may be able to
25 get that scheduled.

1 MR. SHIELDS: Judge, this is Mr. Shields
2 again.

3 I can address that. While we typically
4 try to put a target date at the prehearing conference for
5 a settlement conference, the parties always want to have
6 as many folks come to the table with as much authority and
7 full and complete settlement positions as possible. So
8 while that is an aspiration, I don't know that necessarily
9 we are going to meet that date. So I don't know what else
10 we can represent -- I don't know what else my office can
11 represent, and I would welcome any input from any other
12 Counsel, as to how they expect to be prepared for that, to
13 discuss settlement on that date.

14 MR. ISOM: This is Mr. Isom.

15 I can make this suggestion: I know
16 Mr. Thomas and I spoke I guess yesterday, but recently in
17 any event. He has a conflict on the 28th --

18 MR. THOMAS: The 28th actually is fine.
19 The conflict was on the 26th. I would prefer actually the
20 28th on behalf of the Hess Corporation.

21 MR. ISOM: I have no preference between
22 July 28 and the 31st. If the parties can reach a
23 consensus what I will suggest is that I can establish a
24 bridge line so people can participate by telephone or come
25 to our conference room in Harrisburg and we can get as far

1 as we can get. I mean, I understand that not every party
2 may be able to discuss every issue or present a complete
3 settlement proposal but at least we can go as far as we
4 and start the process.

5 MR. SHIELDS: Mr. Shields, again, Your
6 Honor.

7 And I will endeavor to see if the
8 beautiful glass enclosed conference rooms here at the
9 Keystone Building are available, which may be also a
10 similar convenience to the parties here in Harrisburg.

11 MR. VULLO: This is Joe Vullo.

12 I will not be available on the 28th. I
13 probably would be available by phone if necessary. I will
14 be away.

15 JUDGE JONES: Mr. Isom, I believe you were
16 the one who stated you were going to endeavor to provide a
17 bridge line.

18 MR. ISOM: I can do that.

19 JUDGE JONES: Okay. Then, Mr. Vullo, I
20 believe you can participate telephonically if it comes to
21 that.

22 MR. VULLO: That's right. Thank you, Your
23 Honor.

24 MR. ISOM: This is Mr. Isom.

25 I am just asking the parties for a

1 preference between the 28th and the 31st.

2 MS. MORRIS: July 28 works fine for
3 Transco, Your Honor.

4 MR. ISOM: Can we say the 28th, 10
5 o'clock? And I will set up the conference line.

6 MS. MORRIS: Fine.

7 MR. THOMAS: Thank you.

8 JUDGE JONES: Thank you, Mr. Isom.

9 Any other matters to be heard before me
10 today?

11 (No audible response.)

12 MS. MORRIS: Your Honor, I believe I heard
13 OCA indicate that they have already served one set of
14 interrogatories to PP&L. Would it be possible that I
15 receive a copy of that and any other discovery that has
16 been sent and responses?

17 JUDGE JONES: Mr. Isom, did you hear the
18 request of Counsel for Transcontinental?

19 MR. ISOM: I could not understand it. Her
20 voice was breaking up.

21 JUDGE JONES: She has not received the
22 answers that were provided by your company to OCA's first
23 set of interrogatories. She wants to know if she can
24 receive a copy of those.

25 MR. ISOM: Yes. I have not seen documents

1 from her and if I missed them I apologize. If we could
2 have her full name and address we can take care of that.

3 MS. MORRIS: I will do that after the
4 hearing, Your Honor.

5 JUDGE JONES: Very well.

6 Mr. Isom, I may need another set of your
7 filing. I believe I will be requesting assistance in this
8 case and I need another pair of eyes to look at these
9 documents that everyone will be providing me. So I think
10 I will need another set. I would prefer the copying costs
11 come from you as opposed to the Commission.

12 MR. ISOM: Oddly enough, Your Honor, I
13 have a spare.

14 JUDGE JONES: Very well, Mr. Isom. I knew
15 you could accommodate me.

16 MR. ISOM: Directly to you?

17 JUDGE JONES: I will provide you
18 direction. I don't know at this point. It will probably
19 be a week from now that I will be getting back to you.

20 MR. ISOM: That will be fine.

21 JUDGE JONES: Is there anything else?

22 (No audible response.)

23 JUDGE JONES: Hearing nothing, thank you
24 for your patience, your diligence and we are adjourned.

25 (Whereupon, at 2:19 p.m., the hearing was concluded.)

C E R T I F I C A T E

I hereby certify, as the stenographic reporter, that the foregoing proceedings were taken stenographically by me and were thereafter reduced to typewriting by me or under my direction; and that this transcript is a true and accurate record to the best of my ability.

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