



COMMONWEALTH OF PENNSYLVANIA

September 1, 2015

**E-FILED**

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

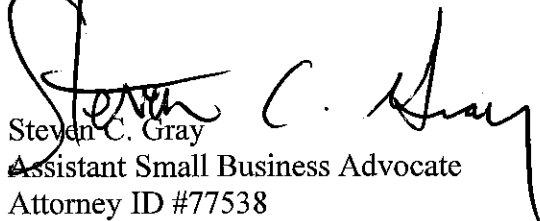
**Re: Pennsylvania Public Utility Commission v. PPL Electric Utilities Corporation**  
**Docket No. R-2015-2469275**  
**Docket No. P-2015-2474714**

Dear Secretary Chiavetta:

Enclosed for filing is the Statement of the Office of Small Business Advocate in Support of the Joint Petition for Approval of Settlement of All Issues, in the above-docketed proceeding. As evidenced by the enclosed certificate of service, all active parties in this case have been served.

If you have any questions, please contact me.

Sincerely,

  
Steven C. Gray  
Assistant Small Business Advocate  
Attorney ID #77538

Enclosures

cc: Honorable Susan D. Colwell  
Parties of Record  
Robert D. Knecht

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>PENNSYLVANIA PUBLIC UTILITY COMMISSION</b>	:	
	:	
	:	<b>DOCKET NO. R-2015-2469275</b>
<b>v.</b>	:	<b>DOCKET NO. P-2015-2474714</b>
	:	
<b>PPL ELECTRIC UTILITIES CORPORATION</b>	:	

**STATEMENT OF  
THE OFFICE OF SMALL BUSINESS ADVOCATE  
IN SUPPORT OF THE  
JOINT PETITION FOR APPROVAL OF SETTLEMENT OF ALL ISSUES**

**Introduction**

The Small Business Advocate is authorized and directed to represent the interests of the small business consumers of utility services in the Commonwealth of Pennsylvania under the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50. Pursuant to that statutory authority, the Office of Small Business Advocate (“OSBA”) filed a complaint against the rates, terms, and other provisions of Supplement No. 179 to Tariff – Electric Pa. P.U.C. No. 201 (“Supplement No. 179”) which was filed with the Pennsylvania Public Utility Commission (“Commission”) by PPL Electric Utilities Corporation (“PPL” or the “Company”) on March 31, 2015.

PPL also filed a Petition for a Waiver of the Distribution System Improvement Charge (“DSIC”) Cap of 5% of Billed Revenues (“DSIC Petition”) with Commission on March 31, 2015. The OSBA filed an answer and notice of intervention in response to the DSIC Petition.

Supplement No. 179 reflects a general rate increase in retail distribution rates of approximately \$167.5 million per year. The DSIC Petition proposed to raise the DSIC cap from 5.0% to 7.5% of billed revenues. This would result in allowing PPL to include the revenue

requirement associated with approximately \$280 million in additional capital investments in its rates without the need for a base rates proceeding.

The OSBA actively participated in the negotiations that led to the proposed settlement and is a signatory to the Joint Petition for Approval of Settlement of All Issues (“*Joint Petition*”).

The OSBA submits this statement in support of the *Joint Petition*.

## **The Joint Petition**

The *Joint Petition* sets forth a list of issues that were resolved through the negotiation process. The following issues were of particular significance to the OSBA when it concluded that the *Joint Petition* was in the best interests of PPL's small business customers.

### **1. Cost of Service Study Methodology**

The Company submitted a cost of service study ("COSS") with its March 31, 2015, filing. As OSBA witness Robert D. Knecht explained, a COSS "is an analytical tool with which the utility's total cost (or 'revenue requirement') is allocated among each of the rate classes." OSBA Statement No. 1 (Revised), at 8. Mr. Knecht explained how a COSS performs that allocation of costs, as follows:

The underlying principle of [a COSS] is that costs are assigned to the rate classes that *cause* the utility to incur those costs. This principle of cost causation is both equitable and economically efficient. It is equitable because costs are borne by those customers who cause them. It is economically efficient because the price signal for consumption from a particular rate class is reasonably consistent with the cost incurred by the utility to provide the service. In that way, the consumer receives the correct price signal for determining whether he should purchase more or less utility service. In effect, the consumer balances the value that he receives from the purchase of that service against the utility's cost of providing the service.

*Id.*, at 9 (emphasis in original).

Mr. Knecht reviewed the COSS submitted by the Company in this proceeding, and found it to be reasonable and consistent with other such studies previously submitted by PPL and approved by the Commission:

I undertook comparisons of key cost classification and allocation parameters between the 2016 [COSS] in this proceeding and PPL Electric's cost allocation study in the 2012 base rates proceeding. Because the parameters appeared to be reasonably consistent in the updated [COSS], and because I did not identify any changes that

had an unduly negative impact on small business customers, I accept the Company's [COSS] for revenue allocation and rate design in this proceeding.

OSBA Statement No. 1 (Revised), at 9.

However, the Office of Consumer Advocate ("OCA") did not agree with the methodology used by PPL in the Company's COSS. Mr. Knecht explained the basis for the OCA's opposition to PPL's COSS, as follows:

[OCA witness Glenn A. Watkins] disagrees with the Company's decision to 'classify' certain joint use distribution plant, namely poles, conductors, conduit, and line transformers, into customer-related and demand-related portions. The Company generally applies a 'minimum system' method for determining the customer component of costs, consistent with past practice. Mr. Watkins argues that classifying some distribution plant as customer-related is only justified if smaller customers are disproportionately located in geographical areas with lower customer density. Based on his analysis of customer density by zip code, Mr. Watkins concludes that smaller customers are not disproportionately located in lower density regions, and therefore no joint-use distribution costs should be classified as customer-related. Mr. Watkins therefore developed an alternative version of the Company's allocated cost of service study . . . based on that conclusion.

OSBA Statement No. 2, at 2.

Mr. Knecht stated three reasons why he did not agree with the OCA proposal to classify all joint-use distribution costs as demand-related, with no customer component:

The first is that of regulatory economy and precedent. The issue for how PPL Electric's joint use distribution plant should be classified and allocated was fully litigated in both the 2010 and 2012 PPL Electric base rates proceedings. In both cases, the Commission determined that the Company's minimum system method was consistent with the NARUC Manual and accepted it. Because my analysis indicated that the Company's methods in this case were very similar to those in the past, and because Mr. Watkins does not identify any substantive changes in the Company's methods, I conclude that precedent supports continuing to use the Company's method. Moreover, litigating this issue in

base rates proceedings which have been filed every two or three years is costly and time consuming.

Second, while I agree with Mr. Watkins that customer density is one of the significant factors that contribute to the conceptual rationale for including a customer component in the classification of distribution plant, I conclude that other factors also support the use of a bifurcated classification. As I noted earlier, larger customers are likely to be more able to take advantage of economies of scale in certain portions of the distribution system. For example, larger GS-3 customers with peak load in excess of 100 kW are more likely to be served by larger, more cost-effective line transformers than are residential customers (particularly in suburban and rural areas), which are more likely to be served by many smaller minimum-size transformers. In addition, with respect to secondary distribution plant, larger GS-3 customers are more likely to be located in close proximity to the primary system in order to minimize energy losses. It is unlikely that large GS-3 customers would be located many times farther away from the primary distribution system than are residential customers, which is the implication of Mr. Watkins' proposed approach. Thus, while customer density is important, it is not the only factor which supports the inclusion of a customer component of distribution costs in an ACOSS.

Third, Mr. Watkins' customer density analysis by zip code does not fully recognize the implications of classifying distribution plant as 100 percent demand-related, and it is of insufficient granularity to demonstrate that a customer component for distribution plant is not warranted. It is important to recognize the implications of a 100 percent demand-based allocation method. What that method implies is that the distance that the distribution system must be extended to serve each customer is proportional to load. Thus, for a 200 kW GS-3 customer, the 100 percent demand method implies that the system must be extended some 50 times further than for a typical 4 kW residential customer. Moreover, that relationship applies to both primary voltage and secondary voltage systems. While it is certainly likely that 200 kW GS-3 customers are not located as close to other customers as are average residential customers, it is unlikely that the distances are fully proportional to load, especially when both primary and secondary systems are considered. Mr. Watkins' density analysis, by contrast, implicitly assumes that the electrical grid must serve each entire geographical area, and that the customers within that area are evenly distributed. In practice, distribution systems are built based on the actual distribution of customers, which is unlikely to be uniform within

any particular geographical area. Further, the zip code areas which Mr. Watkins analyzes consist of multiple square miles of land. Within those parcels, particularly the non-urban parcels, it is reasonable to hypothesize that the non-residential customers would tend to be more concentrated in commercial areas, while residential customers would be more geographically spread out. Thus, the fact that the proportion of non-residential customers in more rural zip codes is similar to that in more urban zip codes does not mean that there are not significant differences in customer density within any particular zip code.

I therefore conclude that Mr. Watkins' proposal to classify joint-use distribution plant as 100 percent demand-related is not justified in this proceeding.

OSBA Statement No. 2, at 3-5 (footnotes omitted).

The *Joint Petition* does not adopt the OCA's proposed COSS, which is consistent with the testimony of Mr. Knecht. Therefore, the OSBA supports the *Joint Petition* as it does not propose to change the COSS methodology submitted by PPL in this proceeding.

## **2. Revenue Allocation**

Mr. Knecht summarized the issue of revenue allocation, as follows:

Revenue allocation is the assignment of the dollar net increase or decrease to each of the Company's rate classes in a base rates proceeding. In contrast, *rate design* determines how the allocated revenue is recovered from individual ratepayers within each class. From a cost recovery standpoint, revenue allocation addresses *inter-class* cross-subsidization issues, while rate design addresses *intra-class* cross-subsidization issues.

OSBA Statement No. 1 (Revised), at 9-10 (emphasis in original).

Mr. Knecht also summarized the Company's revenue allocation proposal:

In this proceeding, the Company proposes to set 2016 revenues equal to allocated costs for virtually all rate classes. This approach is consistent with the revenue allocation pattern established in the Company's 2007 base rates proceeding, in which PPL Electric indicated that it would seek to move rates into line with allocated costs over three rate proceedings.

OSBA Statement No. 1 (Revised), at 10-11.

PPL's proposed revenue allocation is set forth below:

	Current Rate Revenues	Proposed Rate Revenues	Revenue Allocation	Percent	Fully Allocated Costs	Revenue/Cost Ratio
RS	575,345	730,623	155,278	27.0%	733,440	99.6%
RTS	6,495	9,598	3,102	47.8%	9,598	100.0%
GS-1	74,531	87,577	13,047	17.5%	87,577	100.0%
GS-3	122,113	112,128	(9,985)	-8.2%	109,311	102.6%
LP-4	35,070	40,251	5,181	14.8%	40,251	100.0%
LP-5	2,392	864	(1,528)	-63.9%	864	100.0%
LPEP	480	3,032	2,552	531.9%	3,032	100.0%
GH-2	1,277	1,542	265	20.7%	1,542	100.0%
SL/AL	<u>26,269</u>	<u>25,836</u>	<u>(433)</u>	<u>-1.6%</u>	<u>25,836</u>	<u>100.0%</u>
Total	843,972	1,011,451	167,479	19.8%	1,011,451	100.0%

Note: Revenues exclude allocated other non-tariff revenues.  
Source: Exhibit JDT-3, pages 8 and 9

OSBA Statement No. 1 (Revised), at 11.

Mr. Knecht agreed with the Company's revenue allocation proposal, as "the Company is following the principle of moving rates into line with allocated cost." *Id.* Specifically, the GS-1 customer class was moved to its cost of service by receiving less than a system average rate increase (*i.e.*, a 17.5% increase as opposed to a 19.8% increase). Furthermore, the GS-3 customer class was moved close to its cost of service, and was provided a measure of rate relief, by receiving a rate decrease. Finally, the LP-5 customer class also moved to its cost of service by receiving a significant rate decrease.

The *Joint Petition* preserves all of these accomplishments advocated by the OSBA. The GS-1 customer class receives less than a system average rate increase (*i.e.*, a 13.1% increase as



opposed to the 14.7% system average increase associated with a \$124.0 million overall increase). The GS-3 customer class continues to see a rate decrease, although the OSBA recognizes that continued progress toward cost-based rates for this class will need to continue in the Company's next base rates proceeding. A significant contributing factor to the OSBA's acceptance of a reduced rate decrease for Rate GS-3 in the settlement of this case was the testimony of the Commission's own Bureau of Investigation and Enforcement ("I&E") to that effect, although OSBA respectfully disagrees with I&E's logic in this respect. *See* I&E Statement No. 3, at 35-37 ("the proposed decreases . . . are too large."). The OSBA notes further that the OCA advocated a massive rate *increase* for the GS-3 class, with a proposed increase of 22.0 percent (well above system average) at the full Company proposed revenue requirement. Consequently, the OSBA concludes that the proposed rate decrease in the *Joint Petition* for the GS-3 class is well within the range of options offered by the parties. Furthermore, the proposed rate decrease will continue to move GS-3 rates more into line with allocated costs. *See Joint Petition*, at Paragraph 23.

The ALJ and the Commission are both well aware that the OSBA has been advocating for PPL's customer classes to be moved to their respective cost of service for many years. Consequently, the OSBA supports the aggressive approach embodied by the *Joint Petition* to continue to advance toward that goal.

### **3. Rate Schedule BL**

Mr. Knecht explained Rate BL, as follows:

Rate BL is 'borderline' service to neighboring utilities, and represents only a tiny portion of PPL Electric's revenues. While it is a separate tariff rate class, it is included in the GS-1 class for cost allocation purposes. However, PPL Electric proposes to assign a 9.3 percent increase to Rate BL, while assigning a 17.3 percent increase to Rate GS-1. PPL Electric offers no explanation

for the disparate treatment. (In fact, Mr. Koch does not mention Rate BL in his testimony.) Absent any evidence to the contrary, I suggest that the percentage increase assigned to Rate BL match that assigned to Rate GS-1.

OSBA Statement No. 1 (Revised), at 12.

The *Joint Petition* proposes to the adopt Mr. Knecht's recommendation that the rate increase for Rate BL match Rate GS-1. Therefore, the OSBA supports the resolution of this issue as set forth in the *Joint Petition*.

#### **4. Rate Schedule GH-2**

Mr. Knecht also set forth the history of Rate GH-2:

Rate GH-2 is an anachronism. The tariff class was designed to encourage the adoption of electric space heating and all-electric apartment buildings. At present, the rate serves only to discourage conversion to natural gas or alternative energy sources. It was closed to new entrants on August 21, 1972, some 43 years ago, although existing customers remain grandfathered in their eligibility. In the Company's past few base rates proceedings, the Company was in the process of phasing out this tariff option, and transitioning the customers to Rates GS-1 or GS-3 service as appropriate. As part of this process, the Company did succeed in phasing out the similarly outdated GH-1 tariff in the 2012 base rates proceeding. However, in the current proceeding the Company indicates that it no longer intends to phase out this tariff, and it proposes a percentage average rate increase for this class that is only slightly higher than that proposed for the GS-1 class.

OSBA Statement No. 1 (Revised), at 12.

Consequently, Mr. Knecht made two specific recommendations. First, that PPL continue to phase out Rate GH-2. Second, that Rate GH-2 be set at the tariffed rates for Rate GS-1. *See Id.*, at 13.

The *Joint Petition* proposes to move in the direction of both of Mr. Knecht's recommendations. Rate GH-2 will continue to be phased out. *Joint Petition*, at Paragraph 25. Furthermore, the *Joint Petition* assigns a substantial rate increase to rate GH-2, commensurate

with that assigned to the Rate RTS class (which is also in the process of being phased out). The proposed increase for the GH-2 class is approximately 27.8%, nearly double the system average rate increase. The OSBA deems that any increase in excess of that level (in order to phase out the tariff faster) would be inequitable, excessive, and in violation of the rate gradualism principle. The phase-out of Rate GH-2 will therefore need to continue in the next base rates proceeding.

Since the *Joint Petition* generally follows the testimony of Mr. Knecht, the OSBA supports the resolution of these two rate issues as proposed by the *Joint Petition*.

#### **5. The MFC and the PoR**

Mr. Knecht explained the merchant function charge, as follows:

In its current tariff, PPL recovers the cost for [default service] electric supply uncollectibles in its merchant function charge ('MFC'). The MFC is set at a percentage of the combined GSC-1 and TSC [transmission service charge] rates, reflecting class-specific rates of uncollectibles costs.

OSBA Statement No. 1, at 17.

In addition, Mr. Knecht explained the Purchase of Receivables program:

In addition, PPL Electric will, at the option of the EGS, buy the EGS's electric supply receivables under its Purchase of Receivables ('PoR') program. In this program, PPL Electric assumes responsibility for collection of those receivables, and thus also incurs uncollectibles costs associated with these receivables. The Company implicitly recovers these costs by applying a percentage discount to the receivables it purchases. Under current policy, that discount is set equal to the percentage rate that applies to default service customers in the MFC.

However, EGSs who do not participate in the PoR program bill their customers directly, and they assume the responsibility for collections. Thus, PPL Electric does not incur any uncollectibles costs associated with electric supply from this subset of customers.

OSBA Statement No. 1 (Revised), at 16.

In this proceeding, the Company proposed significant changes to its recovery of uncollectibles costs associated with electric supply to default service and the PoR program:

[F]or Small C&I [Commercial and Industrial] customers, the Company proposes to set both the MFC and the PoR discount to zero, and recover the electric supply uncollectibles costs in base distribution rates.

*Id.*, at 17.

Mr. Knecht testified that he opposed PPL's MFC and PoR proposals:

I disagree with the Company's proposal to re-bundle Small C&I electric supply uncollectibles costs into base rates, for several reasons.

First, the proposal muddles electric supply with electric distribution costs. These uncollectibles are related to electricity supply, and therefore should be recovered in supply rates.

Second, the inconsistent treatment of residential and non-residential customers will add complexity and confusion.

Third, this proposal appears to be inconsistent with the Commission's decision in the 2012 base rates proceeding, which explicitly rejected the use of a non-bypassable charge for uncollectibles cost recovery. The Company's proposal in this case implicitly includes a non-bypassable charge in its distribution rates.

And finally, the proposed approach is unfair to EGSs who choose to bill their customers directly. If uncollectibles costs are recovered in distribution rates, the customers whose EGSs bill them directly will effectively pay for uncollectibles costs twice – once in distribution rates and second in the rates paid to their EGSs who assume responsibility for those costs.

OSBA Statement No. 1 (Revised), at 17-18 (footnote omitted) (formatting added).

In addition, the OSBA is aware that in its decision in the Company's last base rates proceeding, the Commission directed PPL to evaluate the difference in uncollectibles rates between default service customers (reflected in the MFC) and shopping customers (reflected in

the PoR discount), presumably to determine whether rates for shopping and non-shopping customers should be differentiated on that basis. The OSBA does not agree that such differentiation is in the public interest, as it adds needless complexity, distorts the competitive decision, and could lead to further unneeded rate differentiation. As Mr. Knecht explained:

On the practical side, it is obviously much simpler to continue to apply the same percentage to both shopping and default service customers.

On the conceptual side, within any particular rate class, Small C&I customers can switch relatively freely back and forth from shopping to default service. It is unlikely that any particular customer will have a greater or lesser propensity to default on its bills if it chooses to shop than if it chooses to take default service. As such, there is little reason to differentiate rates within the rate class group for one relatively small cost item.

Also, differentiating the implied uncollectibles charge between shopping and non-shopping customers would also cause a modest distortion to price competition. If the MFC and the PoR discount are the same, a customer who is deciding whether to shop will essentially be comparing the electric costs of default service and the electric costs incurred by the EGS. However, if the MFC and the PoR discounts are differentiated, the customer will essentially see an advantage in shifting to the service option in which customers have historically been more likely to pay their bills.

Moreover, if the Commission begins to differentiate uncollectibles costs between shopping and default service Small C&I customers, there is always the possibility that some parties will desire further segregation of costs. For example, if GS-3 shopping customers have higher meters costs than GS-3 default service customers, should they be subject to a higher customer charge? Making these kinds of modifications would tend to defeat the purpose of having rate classes, within which customers with reasonably homogeneous service cost requirements all face the same tariff rates, and would cause regulation to move in the direction of differentiating distribution rates based on shopping considerations.

OSBA Statement No. 1 (Revised), at 18-19.

In response to the OSBA's opposition, the *Joint Petition* proposes to drop PPL's alterations to the MFC and PoR programs for the Company's small business customers, and retains the single uncollectibles rate that applies to both the MFC and the PoR discount for Small C&I customers. See *Joint Petition*, at Paragraph 18.

## 6. The DSIC

In his direct testimony, Mr. Knecht provides a concise summary of the distribution system improvement charge ("DSIC"), as follows:

PPL Electric is permitted to make investments to repair, improve or replace existing distribution system assets in between rate cases, and to pass the costs associated with those investments to ratepayers in the form of a DSIC. The DSIC is reset with each base rates case, and investments are includable in the DSIC only after they have exceeded the amounts established for the test year in the base rates proceeding. DSIC-eligible costs are allocated to all classes based on the overall distribution plant allocation factor derived in the most recent base rates proceeding. The DSIC applies as a percentage of the distribution bill. At present, that percentage may not exceed 5.0 percent.

***In this proceeding, the Company proposes that it be permitted to increase this upper bound to 7.5 percent.***

OSBA Statement No. 1 (Revised), at 19 (emphasis added) (formatting added).

Section 1358(a)(1) of the Public Utility Code, 66 Pa. C.S. § 1358(a)(1) states:

Except as provided under paragraph (2), the distribution system improvement charge may not exceed 5% of the amount billed to customers under the applicable rates of the wastewater utility or distribution rates of the electric distribution company, natural gas distribution company or city natural gas distribution operation. The commission may upon petition grant a waiver of the 5% limit under this paragraph for a utility in order to ensure and maintain adequate, efficient, safe, reliable and reasonable service.

66 Pa. C.S. § 1358(a)(1).

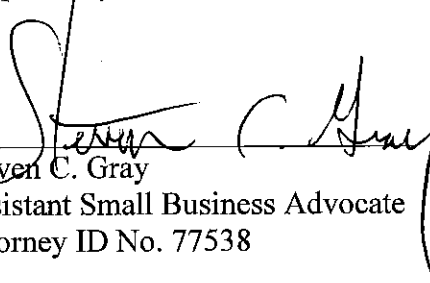
It is the position of the OSBA that PPL offered no evidence that an increase in the 5% DSIC cap was necessary in order to maintain “adequate, efficient, safe, reliable and reasonable service.” Consequently, the OSBA opposed the Company’s proposed DSIC cap increase at all stages of this proceeding.

The *Joint Petition* proposes to adopt the OSBA position on this issue and withdraw the Company proposal to increase the DSIC cap above 5%. *See Joint Petition*, at Paragraph 28.

**Conclusion**

For the reasons set forth in the *Joint Petition*, as well as the additional factors that are enumerated in this statement, the OSBA supports the proposed *Joint Petition* and respectfully requests that the ALJ and the Commission approve the *Joint Petition* in its entirety.

Respectfully submitted,



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

Office of Small Business Advocate  
300 North Second Street, Suite 202  
Harrisburg, PA 17101

Dated: September 1, 2015



**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**PENNSYLVANIA PUBLIC UTILITY  
COMMISSION**

v.

**PPL ELECTRIC UTILITIES CORPORATION :**

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: **DOCKET NO. R-2015-2469275**  
: **DOCKET NO. P-2015-2474714**  
:  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been served via email and/or first-class mail (unless other 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 Susan D. Colwell  
Administrative Law Judge  
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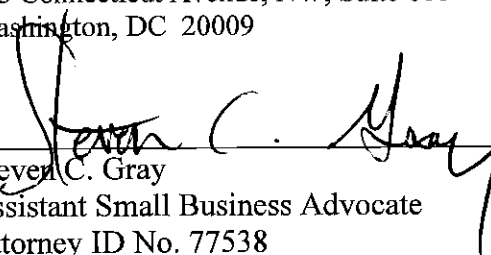
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