



**Phillips Lytle** LLP

VIA ELECTRONIC FILING

May 8, 2020

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor North  
Harrisburg, PA 17120

**Re: Docket P-2020-3019356, PPL Electric Utilities Corporation Petition for Default Service Plan for the Period June 1, 2021 through May 31, 2025**

Dear Secretary Chiavetta,

Enclosed please find the Prehearing Memorandum of StateWise Energy Pennsylvania LLC and SFE Energy Pennsylvania, Inc. (collectively, "StateWise") in the above-referenced proceeding. Copies have been provided to Administrative Law Judge Elizabeth H. Barnes and those indicated on the Certificate of Service.

Respectfully submitted,

Phillips Lytle LLP

By *Gregory L. Peterson*

Gregory L. Peterson

Enclosure

cc: Certificate of Service  
Administrative Law Judge Elizabeth H. Barnes

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**PPL Electric Utilities Corporation Petition for  
Default Service Plan for the Period June 1, 2021  
through May 31, 2025**

**Docket P-2020-3019356**

**PREHEARING MEMORANDUM  
OF STATEWISE ENERGY PENNSYLVANIA LLC AND  
SFE ENERGY PENNSYLVANIA, INC.**

Pursuant to Administrative Law Judge (“ALJ”) Elizabeth H. Barnes’ Prehearing Conference Order dated April 8, 2020 in the above-referenced proceeding, StateWise Energy Pennsylvania LLC and SFE Energy Pennsylvania, Inc. (collectively, “StateWise”) respectfully submits this prehearing memorandum (“Prehearing Memorandum”) to facilitate the orderly conduct and disposition of the proceeding.

**I. HISTORY OF PROCEEDING**

On March 25, 2020, PPL Electric Utilities Corporation (“PPL”) filed a Petition for Approval of its Default Service Plan for the Period from June 1, 2021 through May 31, 2025 (“DSP V Petition”). The DSP V Petition outlines PPL’s proposal to acquire and supply default service to PPL customers who do not take service from an alternative electric generation supplier (“EGS”).

On May 6, 2020, StateWise filed a Petition to Intervene. As described in its Petition to Intervene, StateWise is a licensed EGS serving residential and commercial customers in Pennsylvania. StateWise offers a range of energy-related value-added products and services, including renewable energy and environmental attributes to support its customers' decarbonization objectives. On May 6 2020, StateWise also filed a Motion for Admission *Pro Hac Vice* for Kevin C. Blake, and Motion for Admission *Pro Hac Vice* for Thomas F. Puchner to assist in representing StateWise and its interests in this proceeding. As of May 8, 2020, StateWise's Petition to Intervene and both Motions for Admission *Pro Hac Vice* await disposition by the ALJ.

## **II. ANTICIPATED ISSUES**

The DSP V Petition includes proposed products, services, and rates which would apply to all retail customers in PPL's service territory, including current and future customers of StateWise. While StateWise continues to evaluate PPL's DSP V Petition, StateWise intends to address the following preliminary list of potential issues:

1. Whether PPL's proposed Electric Renewable Rate Program is just and reasonable;
2. Whether PPL's Electric Renewable Rate Program would impede or interfere with similar EGS products and services, including those offered by StateWise;

3. Whether PPL should be required to conform to competitive market rules, regulations, and orders governing EGSs in Pennsylvania with respect to its provision of the Electric Renewable Rate Program;
4. Whether PPL's DSP V, and the Electric Renewable Rate Program in particular, is consistent with Commission regulations and the Public Utility Code;
5. Whether PPL's DSP V effectively promotes the development of Pennsylvania's retail energy market for the benefit of customers in PPL's service territory;
6. Whether PPL's proposed modifications to its Customer Assistance Program would impede or interfere with existing EGS customer contracts, terms, and conditions of service;
7. Whether PPL's proposed modifications to its Customer Assistance Program are consistent with Commission regulations, orders, and the Public Utility Code.

StateWise anticipates pursuing the above-referenced issues in this proceeding and reserves, and does not waive, its right to raise further issues as necessary and appropriate during the course of this proceeding and to respond to any and all issues raised by PPL and other parties.

### **III. PROPOSED WITNESSES**

StateWise is currently evaluating whether and to what extent it will sponsor one or more witnesses and testimony in this proceeding. StateWise will provide reasonable notice to inform the parties and ALJ of witnesses that may be selected and the topics on which such witnesses would provide testimony.

#### **IV. DISCOVERY**

StateWise intends to participate in this proceeding through submission of discovery, cross-examination, and submission of briefs, exceptions, and replies thereto as necessary and appropriate.

#### **V. SCHEDULE**

StateWise will cooperate with the ALJ and the parties at the Prehearing Conference to develop and agree upon appropriate schedules, discovery rules, practices, and procedures in accordance with the ALJ's directives and Commission regulations.

#### **VI. SETTLEMENT**

StateWise is willing to participate in settlement discussions to appropriately resolve issues in this proceeding.

#### **VII. SERVICE OF DOCUMENTS**

StateWise agrees to receive service of documents electronically and requests that documents be served electronically to the below email addresses of its counsel:

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May 8, 2020

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## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

### VIA E-MAIL

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May 8, 2020

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