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Devin Ryan  
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File #: 179373

January 6, 2021

***VIA ELECTRONIC FILING***

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor North  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**Re: Petition of PPL Electric Utilities Corporation for Approval of its Act 129 Phase IV  
Energy Efficiency and Conservation Plan - Docket No. M-2020-3020824**

Dear Secretary Chiavetta:

Enclosed is the Prehearing Conference Memorandum of PPL Electric Utilities Corporation for filing in the above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,

  
Devin Ryan

DTR/jl  
Enclosures

cc: Honorable Mark A. Hoyer  
Honorable Emily DeVoe  
Certificate of Service

**CERTIFICATE OF SERVICE  
(Docket No. M-2020-3020824)**

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**

Steven C. Gray, Esquire  
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Aron J. Beatty, Esquire  
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*CAUSE-PA*

Judith D. Cassel, Esquire  
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*Sustainable Energy Fund  
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Joseph L. Vullo, Esquire  
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*Commission on Economic Opportunity*

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*Natural Resources Defense Council*

Mark C. Szybist, Esquire  
1152 15<sup>th</sup> Street NW, Suite 300  
Washington, DC 20005  
*Natural Resources Defense Council*

Date: January 6, 2021



Devin T. Ryan

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PPL Electric Utilities :  
Corporation for Approval of its Act 129 : Docket No. M-2020-3020824  
Phase IV Energy Efficiency and :  
Conservation Plan :

**PREHEARING CONFERENCE MEMORANDUM OF  
PPL ELECTRIC UTILITIES CORPORATION**

**TO ADMINISTRATIVE LAW JUDGE EMILY I DEVOE AND DEPUTY CHIEF  
ADMINISTRATIVE LAW JUDGE MARK A. HOYER:**

Pursuant to 52 Pa. Code § 5.222(d) and the Prehearing Conference Order dated December 30, 2020, PPL Electric Utilities Corporation (“PPL Electric” or “Company”) hereby submits this Prehearing Conference Memorandum.

**I. BACKGROUND**

On November 30, 2020, PPL Electric filed the above-captioned Petition with the Pennsylvania Public Utility Commission (“Commission”). This filing was made pursuant to Act 129 of 2008 (“Act 129”), P.L. 1592, 66 Pa. C.S. §§ 2806.1 and 2806.2, and the Commission’s Implementation Order entered on June 18, 2020.<sup>1</sup>

In its Petition, PPL Electric requested Commission approval of PPL Electric’s Phase IV Energy Efficiency and Conservation (“EE&C”) Plan (“Phase IV EE&C Plan”). PPL Electric’s Phase IV EE&C Plan includes a portfolio of energy efficiency and energy education initiatives designed to meet the Company’s Phase IV energy consumption and peak demand reduction targets

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<sup>1</sup> *Energy Efficiency and Conservation Program*, Docket No. M-2020-3015228 (Implementation Order Entered June 18, 2020) (“*Implementation Order*”).

and to comply with the other requirements set forth in the Commission’s *Implementation Order* during the five-year period from June 1, 2021, through May 31, 2026 (“Phase IV Period”).

On December 11, 2020, the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (“CAUSE-PA”) filed a Petition to Intervene and Answer.

On December 16, 2020, the Commission on Economic Opportunity (“CEO”) filed a Petition to Intervene.

On December 18, 2020, the Sustainable Energy Fund of Central Eastern Pennsylvania (“SEF”) filed a Petition to Intervene.

On December 21, 2020, the Office of Small Business Advocate (“OSBA”) filed a Notice of Intervention, Public Statement, Notice of Appearance, and Verification.

On December 23, 2020, the Office of Consumer Advocate (“OCA”) filed a Notice of Intervention and Public Statement.

On December 29, 2020, the Natural Resources Defense Council (“NRDC”) filed a Petition to Intervene.

On December 30, 2020, a Prehearing Conference Order was issued, which directed the parties to file prehearing conference memoranda on or before 2:00 p.m. on January 6, 2021.

## **II. SERVICE OF DOCUMENTS**

PPL Electric’s attorneys in this proceeding are Michael J. Shafer, Esquire, Kimberly A. Klock, Esquire, David B. MacGregor, Esquire, and Devin T. Ryan, Esquire. PPL Electric requests that Devin T. Ryan be listed as the recipient for service. Mr. Ryan’s contact information is provided below:

Devin T. Ryan (ID # 316602)  
Post & Schell, P.C.  
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PPL Electric also requests that Mr. Shafer, Ms. Klock, and Mr. MacGregor be added to any informal e-mail distribution lists in this proceeding. Mr. Shafer's e-mail address is mjshafer@pplweb.com, Ms. Klock's e-mail address is kklock@pplweb.com, and Mr. MacGregor's e-mail address is dmacgregor@postschell.com. In addition, PPL Electric agrees to receive service of documents electronically in this proceeding.

**III. WITNESSES AND ISSUES**

A list of witnesses and a description of testimony is provided below. The testimony and related exhibits fully support PPL Electric's proposed Phase IV EE&C Plan and demonstrate that the Plan, including the proposed cost-recovery mechanism, is just, reasonable, and consistent with the requirements of Act 129 and the *Implementation Order*. PPL Electric reserves the right to call additional witnesses, as necessary, to address issues that may arise during the course of this proceeding.

<u>Witness</u>	<u>Statement</u>	<u>General Subject Matter</u>
Dirk Chiles Manager-Energy Efficiency PPL Electric Utilities Corporation 827 Hausman Road Allentown, PA 18104 484-634-3005	PPL Electric Statement No. 1	Overview of Filing; Summary of Phase IV EE&C Plan and Programs; Phase IV EE&C Plan's Compliance with Act 129 and Related Orders; and Details on CSP Contracts

Terry Fry  
Senior Vice President of Energy  
Sector  
The Cadmus Group LLC  
475 14<sup>th</sup> Street  
Suite 260  
Oakland, CA 94612  
510-768-8389

PPL Electric  
Statement No. 2

Development of Phase IV EE&C  
Plan; and Total Resource Cost  
(TRC) Test Calculations

Scott R. Koch  
Rates & Revenue Manager  
PPL Electric Utilities Corporation  
Two North Ninth Street  
Allentown, PA 18101  
610-774-2070

PPL Electric  
Statement No. 3

Spending Cap for Phase IV  
EE&C Plan; and Phase IV EE&C  
Cost-Recovery Mechanism

#### **IV. PROCEDURAL SCHEDULE**

PPL Electric has conferred with the parties in this proceeding on an appropriate procedural schedule. Accordingly, the Company proposes the following procedural schedule:

Other parties' direct testimony	January 13, 2021
Settlement discussion	January 15, 2021
Rebuttal testimony	January 20, 2021
Hearing	January 21, 2021
Comments	January 22, 2021
Main briefs	January 29, 2021
Reply comments/revised plan	February 10, 2021
Record certification	February 11, 2021

The Company will continue to work with the parties on developing a mutually-agreeable procedural schedule in advance of the prehearing conference.

#### **V. DISCOVERY**

Recognizing the expedited nature of this litigation, PPL Electric proposes the following modifications to the Commission's procedural rules regarding discovery:

1. Answers to written interrogatories shall be served in-hand within five (5) calendar days of service of the interrogatories.

2. Objections to interrogatories shall be communicated orally within two (2) calendar days of service of the interrogatories. Unresolved objections shall be served in writing within three (3) calendar days of service of the interrogatories.
3. Motions to dismiss objections and/or direct the answering of interrogatories shall be filed within three (3) calendar days of service of the written objections.
4. Answers to motions to dismiss objections and/or direct the answering of interrogatories shall be filed within three (3) calendar days of service of such motions.
5. Rulings on such motions shall be issued, if possible, within seven (7) calendar days of the filing of the motions.
6. Requests for admissions will be deemed admitted unless answered within five (5) calendar days or objected to within three (3) calendar days of service of the requests.
7. Any discovery served after 12:00 PM on a Friday will be deemed to have been served on the following business day.
8. All discovery due dates be “in-hand.” Electronic or fax service on the due date will satisfy the “in-hand” requirement.

In addition, PPL Electric is not aware of any outstanding discovery disputes and has already received discovery requests from OCA, CAUSE-PA, CEO, and NRDC. The Company is willing to work with the parties, through informal discovery, to expedite discovery.

#### **VI. PUBLIC INPUT HEARINGS**

PPL Electric is not aware of any substantial consumer interest with respect to this proceeding. PPL Electric does not propose that any public input hearings be held absent substantial public interest in this proceeding and specific requests for such hearings.

#### **VII. PROTECTION OF CONFIDENTIAL INFORMATION**

If necessary and should the case proceed to hearing, PPL Electric will timely submit an appropriate Motion for Protective Order.

**VIII. SETTLEMENT**

To date, no formal settlement discussions have been held. However, the procedural schedule contains a date for a settlement conference, and PPL Electric will be working with the parties in an effort to resolve this proceeding through settlement.

Respectfully submitted,



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Date: January 6, 2021

Attorneys for PPL Electric Utilities Corporation