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May 12, 2023

VIA ELECTRONIC FILING

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

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:

Attached for filing with the Pennsylvania Public Utility Commission is the Prehearing Memorandum of the PP&L Industrial Customer Alliance ("PPLICA"), in the above-referenced proceeding.

As evidenced by the attached Certificate of Service, all parties to this proceeding are being duly served with a copy of this document. 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 the PP&L Industrial Customer Alliance

Attachment

c: Deputy Chief Administrative Law Judge Mark A. Hoyer (via e-mail)
Administrative Law Judge Emily I. DeVoe (via e-mail)
Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a true copy of the foregoing document upon the participants listed below in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service by a participant).

VIA E-MAIL

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Adeolu A. Bakare

Counsel to the PP&L Industrial Customer Alliance

Dated this 11th day of May, 2023, at Harrisburg, Pennsylvania

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

**PREHEARING MEMORANDUM
OF THE PP&L INDUSTRIAL CUSTOMER ALLIANCE**

Pursuant to the May 1, 2023, Prehearing Conference Order for Telephonic Conference issued by Deputy Chief Administrative Law Judge ("ALJ") Mark A. Hoyer and ALJ Emily I. DeVoe, the PP&L Industrial Customer Alliance ("PPLICA") hereby submits this Prehearing Memorandum in the above-captioned proceeding.

I. HISTORY OF THE PROCEEDING

On December 30, 2022, PPL Electric Utilities Corporation ("PPL" or "Company") filed with the Pennsylvania Public Utility Commission ("Commission" or "PUC") a Petition for Approval of Changes to its Act 129 Phase IV Energy Efficiency & Conservation ("EE&C") Plan ("Petition"). Through the Petition, PPL proposed, among other things, two major changes to its Act 129 Plan, including shifting approximately \$18 million from the Large Commercial and Industrial ("C&I") sector budget to the Small C&I sector budget.

On January 30, 2023, PPLICA filed a Letter in Lieu of Comments requesting that the Commission act expeditiously to rule on PPL's proposed changes so the Petition's associated rate impacts could be processed in advance of PPL's June 1, 2023, Act 129 Compliance Rider ("ACR") adjustment.

The Commission entered an Order on April 27, 2023, finding that hearings must be held in this proceeding to confirm that the proposed budget reallocations will not result in an EE&C

plan that fails to offer a reasonable mix of programs to all customer classes. As such, the Commission referred the following changes to the Office of Administrative Law Judge ("OALJ") for the scheduling of expedited proceedings and the issuance of a Recommended Decision ("R.D.") within ninety days:

- Change No. 5: Shift approximately \$18 million from the Large C&I budget to the Small C&I budget;
- Change No. 7: Increase the estimated savings and estimated Peak Demand Reductions ("PDR") for the Small C&I sector; and
- Change No. 8: Decrease the estimated savings and estimated PDR for the Large C&I sector.

A Prehearing Conference has been scheduled in this proceeding for May 15, 2023.

III. ANTICIPATED ISSUES AND SUBISSUES

PPLICIA is concerned with issues regarding the terms and conditions of its members' electricity service, including the PUC's final disposition of PPL's Petition, which will directly affect the rates that PPL imposes on PPLICIA for electric service. Specifically, since PPL's proposed budget adjustments are anticipated to significantly impact the ACR charges for PPLICIA members, PPLICIA seeks to ensure that PPL implements the Act 129 Plan changes in a just and reasonable manner. PPLICIA will also monitor and review any proposed modifications to PPL's as-filed Petition. PPLICIA anticipates pursuing these issues during this proceeding, as necessary, and reserves the right to raise further issues and to respond to all matters raised by other parties.

III. PROPOSED WITNESSES

PPLICIA is currently evaluating whether it will sponsor testimony in this proceeding. In the event PPLICIA decides to sponsor testimony, PPLICIA will immediately inform the ALJs and the other parties of any intended witnesses and their topics of testimony. PPLICIA also intends to

participate in this proceeding through the submission of discovery, cross-examination of other parties' witnesses, and the submission of briefs, exceptions and reply exceptions, if necessary.

IV. LIST OF EXHIBITS OR DOCUMENTS

PPLICA will not be presenting any exhibits or documents during the May 15, 2023, Prehearing Conference. PPLICA reserves its right to present any exhibits or documents as part of any evidentiary hearings in this proceeding.

V. PROPOSED SCHEDULE AND DISCOVERY RULES


PPLICA will cooperate with the ALJs and the parties at the Prehearing Conference to finalize a procedural schedule. PPLICA will also cooperate with the ALJs and the parties to develop appropriate discovery rules in accordance with the Commission's regulations and any directives issued by the ALJs.

VI. POSSIBILITY OF SETTLEMENT

PPLICA is willing to participate in discussions with the parties to amicably resolve the issues in this proceeding.

Respectfully submitted,

McNEES WALLACE & NURICK LLC

By 

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Dated: May 12, 2023