



COMMONWEALTH OF PENNSYLVANIA

May 12, 2023

E-FILED

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
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:

Enclosed for filing please find the Prehearing Memorandum, on behalf of the Office of Small Business Advocate (“OSBA”), in the above-captioned proceeding.

Copies will be served on all known parties in this proceeding, as indicated on the attached Certificate of Service.

If you have any questions, please do not hesitate to contact me.

Sincerely,

/s/ Steven C. Gray

Steven C. Gray
Senior Supervising
Assistant Small Business Advocate
Attorney I.D. No. 77538

Enclosures

cc: Parties of Record
Angela Vitulli
Catherine Foley

**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 :

**OFFICE OF SMALL BUSINESS ADVOCATE
PREHEARING MEMORANDUM**

I. INTRODUCTION

The Office of Small Business Advocate (“OSBA”) is authorized to represent the interests of small business consumers of utility services before the Pennsylvania Public Utility Commission (“Commission”) pursuant to the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50 (“the Act”). In order to discharge this statutory duty, the Small Business Advocate deems it necessary to participate as a party to this proceeding. Representing the OSBA in this matter is Assistant Small Business Advocate Steven C. Gray.

Please address all correspondence as follows:

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II. FILING BACKGROUND

On December 30, 2022, PPL Electric Utilities Corporation (“PPL” or the “Company”) filed a Petition for Approval of Changes to its Act 129 Phase IV Energy Efficiency and Conservation Plan (“Petition”) with the Pennsylvania Public Utility Commission (“Commission”).

On January 26, 2023, the OSBA filed an Amended Answer to the Petition.

III. IDENTIFICATION OF WITNESSES AND TENTATIVE ISSUES

Assisting in the development and presentation of the OSBA’s case in this proceeding will be:

Angela Vitulli
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After a review of the materials submitted by the PPL, the OSBA has identified the following issues:

1. Whether the “major changes” proposed by the Petition are just, reasonable, and non-discriminatory.
2. Whether PPL has a reasonable basis for the proposed increase in Small Commercial and Industrial (“Small C&I”) participation in the Company’s EE&C program.

3. Whether the Company's proposed changes in incentive levels are just and reasonable.
4. Whether the Company's proposal to move the Large C&I budget to PPL's Small C&I customers is just, reasonable, and non-discriminatory.
5. Whether the Large C&I budget should be shared with any other customer class besides PPL's Small C&I customers.
6. Whether the Small C&I customers of PPL will be underserved if the Petition's changes are not implemented.

The OSBA reserves the right to pursue additional issues as they arise throughout the proceeding.

The OSBA will participate in this case to assure that the interests of small business customers of PPL are adequately represented and protected.

IV. SERVICE OF DOCUMENTS

In accordance with 52 Pa. Code § 1.54(b)(3)(i), the OSBA agrees to accept electronic mail delivery of documents on the due date^a as satisfying the in-hand requirement. At the time of this writing, hard copy delivery of documents to the OSBA is not possible. The OSBA requests that email delivery of documents also be provided to its witnesses identified above.

In addition to email copies of pleadings, briefs, and exceptions, the OSBA requests email copies of responses to discovery propounded by the OSBA or any other party.

V. SETTLEMENT

The OSBA notes its willingness to enter into settlement discussions at the appropriate phase of this proceeding.

VI. HEARING AND BRIEFING SCHEDULE

^a In accordance with 52 Pa. Code § 1.56(a)(5), documents must be received by 4:30 pm.

At the time of this writing, the parties are working to develop a proposed procedural schedule.

The OSBA respectfully requests that any evidentiary hearings take place telephonically.

Respectfully submitted,

/s/ Steven C. Gray

Steven C. Gray, Esq.
Senior Supervising
Assistant Small Business Advocate
Attorney ID No. 77538

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Small Business Advocate

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Dated: May 12, 2023

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Petition of PPL Electric Utilities
Corporation for Approval of its Act 129
Phase IV Energy Efficiency and
Conservation Plan**

:
: **Docket No. M-2020-3020824**
:
:

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing have been served via email (*unless otherwise noted below*) upon the following persons, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

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DATE: May 12, 2023

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