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June 14, 2023

VIA ELECTRONIC FILING

Deputy Chief Administrative Law Judge Mark Hoyer
Pennsylvania Public Utility Commission
Pittsburgh District Office
Piatt Place, 301 5th Avenue, Suite 220
Pittsburgh, PA 15222
mhoyer@pa.gov

RE: Pike County Light & Power Company; Docket No. P-2023-3039927; **PIKE COUNTY LIGHT & POWER COMPANY'S PREHEARING CONFERENCE MEMORANDUM**

Dear Judge Hoyer:

In accordance with Your Honor's May 16, 2023 Prehearing Conference Order, enclosed is Pike County Light & Power Company's Prehearing Conference Memorandum in connection with the above-captioned matter. A copy of the enclosed memorandum has been served as indicated on the attached Certificate of Service.

If you should have any questions, please feel free to contact me at 717-236-1300.

Very truly yours,

/s/ Phillip D. Demanchick Jr.

Whitney E. Snyder
Thomas J. Sniscak
Phillip D. Demanchick Jr.

Counsel for Pike County Light & Power Company

PDD/das
Enclosure

cc: Rosemary Chiavetta, Secretary (via efileing)
Nick Miskanic, Legal Assistant (nmiskanic@pa.gov)
Per Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Pike County Light & Power :
Company for Approval of Default Service : Docket No. P-2023-3039927
Plan and Waiver of Commission Regulations :

**PREHEARING CONFERENCE MEMORANDUM OF
PIKE COUNTY LIGHT & POWER COMPANY**

TO THE HONORABLE MARK HOYER:

Pursuant to the May 16, 2023 Prehearing Conference Order issued in the above-captioned proceeding, Pike County Light & Power Company (“Pike” or the “Company”), by and through its attorneys in this matter, Hawke McKeon & Sniscak LLP, submits the following Prehearing Conference Memorandum.

I. PROCEDURAL HISTORY

On April 13, 2023, Pike filed a Petition for Approval of its Default Service Plan and Waiver of Commission Regulations (“Petition”). The Petition was filed pursuant to Section 2807(e) of the Public Utility Code and 52 Pa. Code §§ 54.181-54.190. Through its Petition, Pike is seeking approval from the Pennsylvania Public Utility Commission (“Commission”) regarding its proposed default service plan (DSP) for June 1, 2024 through May 31, 2027, and certain waivers related to default service. The Petition was published in the Pennsylvania Bulletin on May 13, 2023, with an Answer/Protest date of June 9, 2023.

On May 3, 2023, the Office of Small Business Advocate (“OSBA”) filed a Notice of Intervention, Public Statement, Notice of Appearance, and Verification. The OSBA separately filed an Answer to the Petition on June 7, 2023. On May 19, 2023, the Office of Consumer Advocate (“OCA”) filed an Answer, Notice of Intervention, Public Statement, and Verification.

On May 30, 2023, Pike served the public and confidential versions of its written Direct Testimony as part of this proceeding. Subsequently, on June 8, 2023, Pike filed an unopposed Motion for Protective Order seeking to limit the availability of proprietary information.

This matter was assigned to the Office of Administrative Law Judge and further assigned to Deputy Chief Administrative Law Judge Mark Hoyer (“ALJ Hoyer”). A telephonic prehearing conference notice was issued setting forth a prehearing conference for June 15, 2023. In anticipation of the prehearing conference and pursuant to Your Honor’s May 16, 2023 Prehearing Order, the Company submits its Prehearing Memorandum and sets forth the following:

II. ACCEPTANCE OF SERVICE

Pike requests that each of the below attorneys be served documents in this proceeding on its behalf:

Whitney E. Snyder, Attorney I.D. No. 316625
Thomas J. Sniscak, Attorney I.D. No. 33891
Phillip D. Demanchick Jr., Attorney I.D. No. 324761
Hawke McKeon & Sniscak LLP
100 North Tenth Street
Harrisburg, PA 17101
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Pike also proposes the parties agree to accept service of all documents by email by 4:30 pm as satisfying in-hand delivery. Should hard copy service become necessary as this proceeding progresses, hard copy service can be sent to the attorneys at the address listed above.

III. ISSUES AND SUB-ISSUES

The major issue in this proceeding is approval of a financial hedging strategy to allow Pike to reduce price instability for its default service customers. Pike only currently has one supply procurement method available to it – spot market purchases through the New York Independent

System Operator (“NYISO”). In past Pike DSP proceedings, the Commission has approved and the Commonwealth Court has upheld this procurement method. In Pike’s last two DSP proceedings, Pike proposed financial hedging strategies as a means to promote pricing stability for its default service customers. In both proceedings, the parties settled upon and the Commission approved financial hedging strategies for plan years 2019-2024. Pike is proposing essentially the same financial hedging strategy here. Approval of Pike’s DSP and financial hedging strategy also involve waivers of Commission regulations that the Commission has consistently approved in prior DSP proceedings for Pike.

IV. WITNESSES

Pike submitted its Direct Testimony on May 30, 2023. This testimony included the following witnesses who each testified in support of Pike’s procurement methodology and proposed hedging strategy:

Russell Miller
Chief Information Officer, Senior Vice President Energy Supply
Corning Energy Corporation
330 West William St. Corning, NY 14830

Noel Chesser
Principal Energy Advisor
Enel X Advisory Services, USA, LLC - Customer Insights USA & Canada
1414 Key Highway Suite 200 M
Baltimore, MD 21230

The Company reserves the right to call additional witnesses, as necessary, and will notify Your Honor and the Parties accordingly.

V. PROPOSED LITIGATION SCHEDULE

The parties have agreed to the following litigation schedule in this proceeding for Your Honor’s consideration.

Prehearing Conference	June 15, 2023
Other Parties’ Direct Testimony	July 21, 2023
Rebuttal Testimony	August 4, 2023
Surrebuttal Testimony	August 17, 2023
Written Rejoinder	August 29, 2023
Evidentiary Hearings	August 30, 2023
Main Briefs	September 12, 2023
Reply Briefs	September 22, 2023

VI. DISCOVERY

Pike does not oppose the Office of Consumer Advocate’s proposed discovery modifications, which are as follows:

Proposed Discovery Modifications:

- A. Answers to interrogatories and responses to requests for document production, entry for inspection, or other purposes shall be served in-hand within ten (10) calendar days of service of the interrogatories or requests for production.
- B. Objections to interrogatories and/or requests for production shall be communicated orally to the propounding party within three (3) calendar days of service; unresolved objections shall be served in writing to the propounding party within five (5) calendar days of service of the interrogatories and/or requests for production.
- C. Motions to dismiss objections and/or direct the answering of interrogatories and/or requests for production shall be filed within three (3) calendar days of service of written objections.
- D. Answers to motions to dismiss objections and/or direct the answering of interrogatories and/or requests for production shall be filed within three (3) calendar days of service of such motions.
- E. Requests for admission be deemed admitted unless answered within ten (10) days or objected to within five (5) days of service.

F. Discovery requests and discovery related pleadings (such as objections, motions, and answers to same) served after 4:30 p.m. Monday through Thursday or after 12:00 p.m. on a Friday or the day preceding a holiday shall be deemed to have been served on the next business day.

G. On the Record Data requests will be provided within five (5) calendar days.

VII. SETTLEMENT

Pike will actively seek to participate in settlement discussions with the other parties. Pike will not be utilizing the Commission's mediation process.

WHEREFORE, Pike County Light & Power Company respectfully submits this Prehearing Conference Memorandum.

Respectfully submitted,

/s/ Phillip D. Demanchick Jr.

Whitney E. Snyder, Attorney I.D. No. 316625

Thomas J. Sniscak, Attorney I.D. No. 33891

Phillip D. Demanchick Jr., Attorney I.D. No. 324761

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Dated: June 14, 2023

Counsel for Pike County Light & Power Company

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

SERVICE BY EMAIL ONLY:

Gina L. Miller, Esquire
Aron J. Beatty, Esquire
Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101-1923
gmilller@paoca.org
abeatty@paoca.org

Nakea Hurdle, Esquire
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1st Floor, Forum Place
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nhurdle@pa.gov

/s/ Phillip D. Demanchick Jr.
Thomas J. Sniscak, Esq.
Whitney E. Snyder, Esq.
Phillip D. Demanchick Jr., Esq.

Dated: June 14, 2023