



Phillips Lytle LLP

VIA ELECTRONIC FILING

June 10, 2020

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

**Re: Docket P-2020-3019522, Petition of Duquesne Light Company for Approval of
a 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 Mark A. Hoyer 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 Mark A. Hoyer

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Petition of Duquesne Light Company for
Approval of a Default Service Plan for the Period
June 1, 2021 through May 31, 2025**

Docket P-2020-3019522

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

Pursuant to Deputy Chief Administrative Law Judge (“ALJ”) Mark A. Hoyer’s Prehearing Conference Order dated April 30, 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 and to advise the ALJ that StateWise plans to attend and participate in the June 12, 2020 prehearing teleconference.

I. HISTORY OF PROCEEDING

On April 20, 2020, Duquesne Light Company (“Duquesne”) filed a Petition for Approval of its Default Service Plan (“DSP”) for the Period from June 1, 2021 through May 31, 2025 (“DSP Petition”). The DSP Petition outlines Duquesne’s proposal to acquire and supply default service to customers within its service territory who do not take service from an alternative electric generation supplier (“EGS”).

On June 3, 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 June 3, 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 the date of this Prehearing Memorandum, StateWise's Petition to Intervene and both Motions for Admission *Pro Hac Vice* await disposition by the ALJ.

II. ANTICIPATED ISSUES

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

1. Whether Duquesne's proposed Customer Assistance Program ("CAP") Customer Shopping program is just and reasonable;
2. Whether Duquesne's proposal to enter into a long term Power Purchase Agreement to support utility scale solar ("PPA Proposal") is just and reasonable;
3. Whether Duquesne's proposed modifications to the Standard Offer Program ("SOP") are just and reasonable;
4. Whether Duquesne's CAP Customer Shopping program, PPA Proposal, and/or SOP modifications would impede or interfere with the provision of EGS products and services, including those offered by StateWise;

5. Whether Duquesne's CAP Customer Shopping program, PPA Proposal, and/or SOP modifications are consistent with Commission regulations and the Public Utility Code;
6. Whether Duquesne's DSP effectively promotes the development of Pennsylvania's retail energy market for the benefit of customers in Duquesne's service territory;

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 Duquesne 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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June 10, 2020

Respectfully submitted,

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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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June 10, 2020

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