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December 18, 2012

Via Electronic Filing

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

Re: Petition of West Penn Power Company for Approval of its Act 129 Phase II
Energy Efficiency and Conservation Plan; Docket No. M-2012-2334398;
PREHEARING CONFERENCE MEMORANDUM

Dear Secretary Chiavetta:

Please find enclosed for filing the Prehearing Conference Memorandum of The Pennsylvania State University in the above-referenced docket. Copies have been served in accordance with the attached Certificate of Service.

Should you have any questions or comments, please feel free to contact me directly.

Very truly yours,

Thomas J. Sniscak
William E. Lehman

*Counsel for
The Pennsylvania State University*

TJS/WEL/das

Enclosures

cc: Honorable Elizabeth H. Barnes
Per Certificate of Service

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of West Penn Power Company for :
Approval of its Act 129 Phase II Energy : Docket No. M-2012-2334398
Efficiency and Conservation Plan :

**PREHEARING CONFERENCE MEMORANDUM OF
THE PENNSYLVANIA STATE UNIVERSITY**

TO: THE HONORABLE ELIZABETH H. BARNES

On November 29, 2012, a Notice was issued by the Pennsylvania Public Utility Commission (“Commission”) setting a Prehearing Conference in the above-captioned proceeding for Wednesday, December 19, 2012, at 10:00 a.m. before the Honorable Elizabeth H. Barnes. By Order dated November 29, 2012, ALJ Barnes directed parties to submit a prehearing conference memorandum by December 18, 2012.

The Pennsylvania State University (“PSU”), by and through its attorneys in this matter, Hawke McKeon & Sniscak LLP, hereby submits its Prehearing Conference Memorandum.

I. ACCEPTANCE OF SERVICE

Service of paper documents in this proceeding shall be accepted on behalf of PSU by:

Thomas J. Sniscak, Esquire
Hawke McKeon & Sniscak LLP
100 North Tenth Street
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Counsel for PSU also requests that any electronic service list utilized by the parties in this proceeding include Thomas J. Sniscak (tjsniscak@hmslegal.com) and William E. Lehman (welehman@hmslegal.com). PSU is willing to extend the same courtesy upon request of any other party for any e-mails or electronic service to the parties.

II. HISTORY OF THE PROCEEDING

On or about November 13, 2012, West Penn Power Company (“West Penn” or the “Company”), filed with the Commission a Petition seeking approval of its Phase II Energy Efficiency and Conservation Plan (“EE&C Plan”). On December 10, 2012, PSU filed a Petition to Intervene with the Commission, contending that as a major customer of West Penn for a number of separate accounts, PSU will be substantially and directly affected by any decision, final order or settlement in this matter and will be bound thereby.

III. SETTLEMENT

There have been no settlement discussions to date, but PSU is willing to participate in settlement discussions with the other parties.

IV. DISCOVERY

PSU will work with all parties to this proceeding to develop a mutually-agreeable discovery plan and schedule, including but not limited to modifications to regulations or procedures.

V. SCHEDULE

PSU is willing to work with the parties to develop a schedule that gives sufficient time for necessary discovery and submission of testimony.

VI. WITNESSES

At this juncture, PSU intends to offer, in pre-filed form, the Testimony of Michael I. Prinkey, P.E. in support of its positions. Mr. Prinkey's business address, telephone number and e-mail address is:

Michael I. Prinkey, P.E.
Engineering Services
The Pennsylvania State University
Physical Plant Building
University Park, PA 16802-1118
(814) 863-4091
mip103@psu.edu

PSU requests that copies of all interrogatories, testimony and answers to interrogatories be e-mailed directly to Mr. Prinkey. PSU reserves the right to present additional witnesses should its discovery or its review of responses to the discovery of other parties raise additional issues.

PSU reserves the right to adopt any testimony of other witnesses, in whole or in part, and to offer additional witnesses and exhibits as may be necessary to address the testimony, exhibits, or evidence that may be presented by any party in this proceeding.

VII. ISSUES

PSU continues to review the filing; however, at this time, PSU is concerned whether the filing is reasonable, appropriate and consistent with statutory requirements and regulatory principles. Moreover, PSU has an interest in changes other parties may propose. PSU's position will be finalized in its evidence and briefs submitted under the schedule developed in this case.

VIII. EVIDENCE

PSU reserves the right to submit pre-filed direct testimony and associated exhibits addressing the issues identified in the preceding section. PSU may also present additional testimony and exhibits after discovery or in response to testimony or exhibits introduced by any party or witness in this proceeding.

WHEREFORE, The Pennsylvania State University respectfully submits this Prehearing Conference Memorandum.

Respectfully submitted,



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Counsel to The Pennsylvania State University

Date: December 18, 2012

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).

VIA FIRST CLASS U.S. MAIL

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Thomas J. Sniscak
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Dated this 18th day of December, 2012