



COMMONWEALTH OF PENNSYLVANIA

June 21, 2017

**E-FILED**

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

Re: Proceeding regarding the directives of the Commonwealth Court reversing and Remanding the Order of Commission entered At Petition of PPL Electric Utilities Corporation For Approval of a Default Service Program and Procurement Plan for the Period of June 1, 2013 Through May 31, 2015; Petition of PPL Electric Utilities Corporation for Approval of a Default Service Program and Procurement Plan for the Period June 1, 2017 Through May 31, 2021; Petition of PPL Electric Utilities Corporation For Approval of a New Pilot Time-Of-Use Program  
Docket Nos. P-2013-2389572; M-2016-2578051; and P-2016-2526627

Dear Secretary Chiavetta:

I am delivering for filing today the Answer, and Verification, of the Office of Small Business Advocate ("OSBA") to the Petition of PPL Electric Utilities Corporation, in the above-captioned proceeding.

Copies will be served on all known parties in this proceeding, as evidenced by the enclosed Certificate of Service.

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

Sincerely,

  
Steven C. Gray *dy Dk*  
Assistant Small Business Advocate  
Attorney ID No. 77538

***Enclosures***

cc: Mr. Robert Knecht  
Parties of Record

**ANSWER OF THE  
OFFICE OF SMALL BUSINESS ADVOCATE**

Pursuant to 52 Pa. Code § 5.61(a), the Office of Small Business Advocate (“OSBA”) submits this Answer to the Petition of PPL Electric Utilities Corporation (“PPL” or the “Company”) for Approval of a New Time-of-Use Program (“*Petition*”) that was filed with the Pennsylvania Public Utility Commission (“Commission”) on June 1, 2017.

**Responses to the *Petition*'s Numbered Paragraphs**

**Introduction**

1. The averments of Paragraph 1 are requests for relief or conclusions of law to which no response is required. By way of further response, the *April 6<sup>th</sup> Secretarial Letter* speaks for itself.

2. The averments of Paragraph 2 contain a summary of the Company’s request for relief to which no response is required.

3. The averments of Paragraph 3 contain a summary of the Company’s request for relief to which no response is required.

**Background**

4. Admitted, except for those averments of Paragraph 4 that are conclusions of law to which no response is required.

5. Admitted, except for those averments of Paragraph 5 that are conclusions of law to which no response is required.

6. Admitted, except for those averments of Paragraph 6 that are conclusions of law to which no response is required.

7. The averments of Paragraph 7 contain conclusions of law to which no response is required.

8. The averments of Paragraph 8 contain conclusions of law to which no response is required.

9. Admitted, except for those averments of Paragraph 9 that are conclusions of law to which no response is required.

10. The averments of Paragraph 10 contain conclusions of law to which no response is required.

Commission Proposed TOU Design

11. The averments of Paragraph 11 contain the Company's summary of the *April 6<sup>th</sup> Secretarial Letter*. By way of further response, the *April 6<sup>th</sup> Secretarial Letter* speaks for itself.

12. The averments of Paragraph 12 contain a summary of the Company's request for relief to which no response is required.

Program Term

13. The averments of Paragraph 13 contain a summary of the Company's request for relief to which no response is required.

Procurement and Rate Design

14. The averments of Paragraph 14 are requests for relief or conclusions of law to which no response is required.

15. The averments of Paragraph 15 contain a summary of the Company's request for relief to which no response is required.

16. The averments of Paragraph 16 contain a summary of the Company's request for relief to which no response is required.

17. The averments of Paragraph 17 contain a summary of the Company's request for relief to which no response is required.

18. The averments of Paragraph 18 contain a summary of the Company's request for relief to which no response is required.

19. The averments of Paragraph 19 contain a summary of the Company's request for relief to which no response is required.

TOU Program RFP Process

20. The averments of Paragraph 20 contain a summary of the Company's request for relief to which no response is required.

21. The averments of Paragraph 21 are requests for relief or conclusions of law to which no response is required.

22. The averments of Paragraph 22 contain a summary of the Company's request for relief to which no response is required.

23. The averments of Paragraph 23 contain a summary of the Company's request for relief to which no response is required.

24. The averments of Paragraph 24 are requests for relief or conclusions of law to which no response is required.

25. The averments of Paragraph 25 contain a summary of the Company's request for relief to which no response is required.

26. The averments of Paragraph 26 contain a summary of the Company's request for relief to which no response is required.

27. The averments of Paragraph 27 contain a summary of the Company's request for relief to which no response is required.

28. The averments of Paragraph 28 contain a summary of the Company's request for relief to which no response is required.

29. The averments of Paragraph 29 contain a summary of the Company's request for relief to which no response is required.

30. The averments of Paragraph 30 contain a summary of the Company's request for relief to which no response is required.

Supply Master Agreement

31. The averments of Paragraph 31 are requests for relief or conclusions of law to which no response is required.

Third-Party Manager

32. The averments of Paragraph 32 contain a summary of the Company's request for relief to which no response is required.

33. The averments of Paragraph 33 contain a summary of the Company's request for relief to which no response is required.

TOU Contingency Plan

34. The averments of Paragraph 34 contain conclusions of law to which no response is required. By way of further response, the *April 6<sup>th</sup> Secretarial Letter* speaks for itself.

35. The averments of Paragraph 35 contain a summary of the Company's request for relief to which no response is required.

36. The averments of Paragraph 36 contain a summary of the Company's request for relief to which no response is required.

37. The averments of Paragraph 37 contain a summary of the Company's request for relief to which no response is required.

38. The averments of Paragraph 38 contain a summary of the Company's request for relief to which no response is required.

39. The averments of Paragraph 39 contain a summary of the Company's request for relief to which no response is required.

40. The averments of Paragraph 40 contain a summary of the Company's request for relief to which no response is required.

41. The averments of Paragraph 41 contain a summary of the Company's request for relief to which no response is required.

42. The averments of Paragraph 42 contain a summary of the Company's request for relief to which no response is required.

43. The averments of Paragraph 43 contain a summary of the Company's request for relief to which no response is required.

Customer Eligibility

44. The averments of Paragraph 44 contain a summary of the Company's request for relief to which no response is required.

45. The averments of Paragraph 45 contain a summary of the Company's request for relief to which no response is required.

46. The averments of Paragraph 46 contain a summary of the Company's request for relief to which no response is required.

Net Metering Customers

47. The averments of Paragraph 47 contain a summary of the Company's request for relief to which no response is required.

48. The averments of Paragraph 48 contain a summary of the Company's request for relief to which no response is required.

49. The averments of Paragraph 49 are requests for relief or conclusions of law to which no response is required. By way of further response, the Commonwealth Court's *DCIDA* decision speaks for itself.

50. The averments of Paragraph 50 contain a summary of the Company's request for relief to which no response is required.

TOU Program Promotion

51. The averments of Paragraph 51 contain a summary of the Company's request for relief to which no response is required.

Implementation Costs of New TOU Program

52. The averments of Paragraph 52 contain a summary of the Company's request for relief to which no response is required.

Additional Requested Ruling Pursuant to 66 Pa. C.S. § 2102

53. The averments of Paragraph 53 are requests for relief or conclusions of law to which no response is required.

54. The averments of Paragraph 54 are requests for relief or conclusions of law to which no response is required.

55. The averments of Paragraph 55 are requests for relief or conclusions of law to which no response is required.

56. The averments of Paragraph 56 are requests for relief or conclusions of law to which no response is required.

The New TOU Program is in the Public Interest

57. The averments of Paragraph 57 are requests for relief or conclusions of law to which no response is required.

Conclusion

In view of the foregoing, the Office of Small Business Advocate respectfully requests that the Pennsylvania Public Utility Commission:

- A. Direct the Office of Administrative Law Judge to hold hearings on the *Petition* and prepare an initial decision; and
- B. Grant such other relief as may be necessary or appropriate.

Respectfully submitted,

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

For:  
John R. Evans  
Small Business Advocate

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Dated: June 21, 2017

**VERIFICATION**

I, Steven C. Gray, hereby state that the facts set forth herein above are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. §4904 (relating to unsworn falsification to authorities).

Date: June 21, 2017

Steven C Gray  
(Signature) *vy 302*

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>Proceeding regarding the directives of the Commonwealth Court reversing and Remanding the Order of Commission entered At Petition of PPL Electric Utilities Corporation For Approval of a Default Service Program and Procurement Plan for the Period of June 1, 2013 Through May 31, 2015</b>	:	
	:	<b>Docket No. M-2016-2578051</b>
	:	
	:	
<b>Petition of PPL Electric Utilities Corporation for Approval of a Default Service Program and Procurement Plan for the Period June 1, 2017 Through May 31, 2021</b>	:	
	:	<b>Docket No. P-2016-2526627</b>
	:	
	:	
<b>Petition of PPL Electric Utilities Corporation For Approval of a New Pilot Time-Of-Use Program</b>	:	
	:	<b>Docket No. P-2013-2389572</b>
	:	

**CERTIFICATE OF SERVICE**

I hereby certify that true and correct copies of the foregoing have been served via email and/or first-class mail (unless other 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: June 21, 2017

  
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