

January 11, 2019

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

**Re: West Penn Power Company Tariff Electric Pa. P.U.C. No. 40,
Supplement No. 51 and West Penn Power Company-The
Pennsylvania State University Tariff Electric Pa. P.U.C. No. 38,
Supplement No. 33, Changes to the Rules to Include Electric Vehicle
Charging; Docket No. M-2017-2604382**

Dear Secretary Chiavetta:

Transmitted herewith for filing with the Pennsylvania Public Utility Commission ("Commission") is an original copy of Supplement No. 51 to West Penn Power Company's ("West Penn" or the "Company") Tariff Electric Pa. P.U.C. No. 40 and Supplement No. 33 to West Penn Power Company – The Pennsylvania State University's ("West Penn Power-PSU" or the "Company") Tariff Electric Pa. P.U.C. No. 38, which bears an issue date of January 11, 2019. The tariff changes contained in Supplement No. 51 and Supplement No. 33 are proposed to be effective on March 1, 2019.

On November 8, 2018 the Commission issued a Final Policy Statement instructing electric distribution companies to file a tariff amendment including certain information related to third-party owned electric vehicle charging stations. The purpose of Tariff Supplement No. 51 and 33 are to amend West Penn's tariff in a manner consistent with the Final Policy Statement.

If you have any questions regarding the enclosed documents, please contact me at 610-921-6525 or Kim Bortz at 610-921-6717.

Sincerely,



Charles V. Fullem
Director – Rates & Regulatory Affairs-PA

Enclosures

c: Scott Thomas, sjthomas@pa.gov
Joseph Cardinale, jcardinale@pa.gov
Darren Gill, dgill@pa.gov
As Per Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Policy Statement on Third Party Electric :
Vehicle Charging – Resale/Redistribution : **Docket No. M-2017-2604382**
of Utility Service Tariff Provisions :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the foregoing document upon the individuals listed below.


Service by first class mail, as follows:

John R. Evans
Office of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17101

Tanya J. McCloskey
Office of Consumer Advocate
555 Walnut Street, 5th Floor Forum Place
Harrisburg, PA 17101

Richard Kanaskie
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Dated: January 11, 2019



Charles V. Fullem
Director – Rates and Regulatory Affairs – PA
FirstEnergy Service Company
2800 Pottsville Pike
P.O. Box 16001
Reading, Pennsylvania 19612-6001
(610) 921-6525

WEST PENN POWER COMPANY
READING, PENNSYLVANIA

Electric Service Tariff

Effective in

**The Territory as Defined on
Page Nos. 7 - 14 of this Tariff**

Issued: January 11, 2019

Effective: March 1, 2019

**By: Samuel L. Belcher, President
Reading, Pennsylvania**

NOTICE

This Supplement 51 makes changes to Table of Contents and General Rules and Regulations.
See Forty-Eighth Revised Page 2.

LIST OF MODIFICATIONS

Table of Contents

MISCELLANEOUS PROVISIONS – Rule No. 23 has been added (See Second Revised Page 4).

General Rules and Regulations

Rule 23 – Electric Vehicle Charging – Language has been added (See Third Revised Page 63).

TABLE OF CONTENTS (continued)		Page No.
Rule No.		
INDIVIDUALIZED SERVICES		
14	Individualized Contracts	55-57
15	Company Facilities, Services and Products	57
16	Auxiliary Power Sources and Readiness to Serve	58
17	Interconnection, Safety & Reliability Requirements	58-59
EMERGENCY CONDITIONS		
18	Load Control	60
19	Energy Conservation	60
MISCELLANEOUS PROVISIONS		
20	Discontinuance	61
21	Service Continuity: Limitation on Liability for Service Interruptions and Variations	62-63
22	Transfer of Electric Generation Supplier	63
23	Electric Vehicle Charging	63 (C)
RATE SCHEDULES		
	Rate Schedule 10 – Domestic Service	64-65
	Rate Schedule 20 – General Service	66-68
	Rate Schedule 30 – General Power Service	69-72
	Rate Schedule 35 – General Power Service	73-75
	Rate Schedule 40 – Primary Power Service	76-78
	Rate Schedule 44 – Primary Power Service	79-82
	Rate Schedule 46 – Primary Power Service	83-86
	Rate Schedule 51 – Street Lighting Service	87-92
	Rate Schedule 52 – Outdoor Lighting Service	93-94

(C) Change

GENERAL RULES AND REGULATIONS

Rule 21 – Service Continuity: Limitation on Liability for Service (continued)

To the extent applicable under the Uniform Commercial Code or on any theory of contract or products liability, the Company disclaims and shall not be liable to any Customer or third party for any claims involving and including, but not limited to, strict products liability, breach of contract, and breach of actual or implied warranties of merchantability or fitness for an intended purpose.

If the Company becomes liable under Section 2806(g) or 2809(c) of the Public Utility Code, 66 Pa. C.S. §§ 2806(g) and 2809(f), for Pennsylvania state taxes not paid by an Electric Generation Supplier (EGS), the non-compliant EGS shall indemnify the Company for the amount of additional state tax liability imposed upon the Company by the Pennsylvania Department of Revenue due to the failure of the EGS to pay or remit to the Commonwealth the tax imposed on its gross receipts under Section 1101 of the Tax Report Code of 1971 or Chapter 28 of Title 66.

22. Transfer of Electric Generation Supplier

The Company shall change a Customer's EGS in accordance with the 52 Pa. Code Chapter 57, Subchapter M, "Standards for Changing a Customer's Electricity Generation Supplier". Pursuant to the Commission's Rulemaking to Amend the Provisions of 52 Pa. Code, Chapter 57 Regulations Regarding Standards for Changing a Customer's Electricity Generation Supplier, at Docket L-2014-2409383, changes in a Customer's EGS shall be effective within three (3) business days after the enrollment request is processed, regardless of whether the meter reading is actual or estimated.

23. Electric Vehicle Charging

Electric vehicle charging at third-party owned electric vehicle charging stations shall not be considered resale of electricity as described in 66 Pa. C.S. § 1313. A third-party owned electric vehicle charging station is defined as a charging station owned by a third party open to the public for the sole purpose of electric vehicle charging. An electric vehicle is defined as any vehicle licensed to operate on public roadways that is propelled in whole or in part by electric energy stored on-board for the purpose of propulsion. Types of electric vehicles include, but are not limited to, plug-in hybrid electric vehicles and battery electric vehicles. Electric vehicle charging stations shall be constructed in accordance with the National Electrical Code and the Company's service installation policies. The station must be designed to protect against back flow of electricity to the Company's electrical distribution circuit as required by Company rules. The Customer, who may be either the owner or the host of the third-party owned electric vehicle charging station, shall notify the Company at least one hundred twenty (120) days in advance of the planned installation date and may be required to install metering for the station as determined by the Company. The Customer shall be responsible for all applicable Tariff rates, fees and charges.

(C)

(C) Change

WEST PENN POWER COMPANY

RATES, TERMS, AND CONDITIONS

GOVERNING

INTERCHANGE OF ELECTRIC ENERGY

WITH

THE PENNSYLVANIA STATE UNIVERSITY

Issued: January 11, 2019

Effective: March 1, 2019

**By: Samuel L. Belcher, President
Reading, Pennsylvania**

NOTICE

Supplement No. 33 makes changes to Table of Contents and Rules and Regulations.
See Thirty-Second Revised Page No. 2.

LIST OF MODIFICATIONS

Table of Contents

Rules and Regulations – Language has been changed (See Second Revised Page 3).

Rules and Regulations

Rule 8 – Electric Vehicle Charging – Language has been added (See Third Revised Page 10 and Fourth Revised Page 11).

Rate Schedule

Formatting has changed (See Third Revised Page 12).

TABLE OF CONTENTS

	<u>Page</u>
Title Page	1
List of Modifications Made by This Supplement	2
Table of Contents	3
Definitions	4-5
Rules and Regulations	6-11 (C)
Rate Schedule	12 (C)
Riders	
Rider A – Tax Adjustment Surcharge Rider	13
Rider B – Tax Cuts and Jobs Act (TCJA) Voluntary Surcharge	14-15
Rider F – Phase III Energy Efficiency and Conservation Charge Rider	16-19
Rider G - Smart Meter Technologies Surcharge	20-21
Rider I – Hourly Pricing Default Service Rider	22-25
Rider J – Default Service Support Rider	26-28

(C) Change

RULES AND REGULATIONS (continued)

5. Individualized Company Facilities and Services:

The Company may, at its sole discretion and upon Customer's request, furnish special, substitute, or additional facilities or services. When the Company provides facilities or services not normally supplied, or when the estimated or actual cost of such individualized, substitute, or additional facilities or services exceeds the estimated costs of the standard facilities or services that normally would be supplied by the Company without special charge, the Company may require special agreements and may establish minimum charges and facilities charges. At a minimum, rates or contract provisions shall be established on a case by case basis and shall be sufficient to recover all appropriate incremental costs of the service and a contribution to fixed costs.

The Company may modify or discontinue the provisions of this rule at any time, subject to any orders of the Pennsylvania Public Utility Commission. Unless otherwise ordered by the Pennsylvania Public Utility Commission, any contracts in effect prior to any such modification or discontinuance of the rule shall remain in effect under the existing term and conditions specified in the contract.

6. Changing Electric Generation Supplier

The Company shall change a Customer's EGS in accordance with the regulations and directives. Changes in a Customer's EGS shall be effective within three (3) business days after the enrollment request is processed, regardless of whether the meter reading is actual or estimated.

7. Payment Processing

When Customer requests that Company provide billing service for Competitive Energy Supply, Company shall provide such service, indicating the charges for the EGS on Customer's monthly bill. Should payments made in response to said billing be less than the full amount billed, payment will be first credited against Company charges until paid in full. The balance will then be credited to the EGS.

8. Electric Vehicle Charging

(C)

Electric vehicle charging at third-party owned electric vehicle charging stations shall not be considered resale of electricity as described in 66 Pa. C.S. § 1313. A third-party owned electric vehicle charging station is defined as a charging station owned by a third party open to

(C) Change

RULES AND REGULATIONS (continued)

(C)

8. Electric Vehicle Charging (continued)

the public for the sole purpose of electric vehicle charging. An electric vehicle is defined as any vehicle licensed to operate on public roadways that is propelled in whole or in part by electric energy stored on-board for the purpose of propulsion. Types of electric vehicles include, but are not limited to, plug-in hybrid electric vehicles and battery electric vehicles. Electric vehicle charging stations shall be constructed in accordance with the National Electrical Code and the Company's service installation policies. The station must be designed to protect against back flow of electricity to the Company's electrical distribution circuit as required by Company rules. The Customer, who may be either the owner or the host of the third-party owned electric vehicle charging station, shall notify the Company at least one hundred twenty (120) days in advance of the planned installation date and may be required to install metering for the station as determined by the Company. The Customer shall be responsible for all applicable Tariff rates, fees and charges.

(C) Change

RATE SCHEDULE

AVAILABILITY

Available for service at 12,470 volts from Company substations.

DISTRIBUTION CHARGES

CUSTOMER CHARGE.....\$793.00 per month

DEMAND CHARGE

First 10,000 kilovolt-amperes \$2.52 per kilovolt-ampere

Additional kilovolt-amperes \$2.42 per kilovolt-ampere

RIDERS

Bills rendered under this schedule are subject to the following applicable Rider Charges:

- Rider A -- Tax Adjustment Surcharge
- Rider B -- Tax Cuts and Jobs Act Voluntary Surcharge
- Rider F -- Phase III Energy Efficiency and Conservation Charge
- Rider G -- Smart Meter Technologies Charge
- Rider J -- Default Service Support Charge

DEFAULT SERVICE CHARGES

For Customers receiving Default Service from the Company, Rider I the Hourly Pricing Default Service Rider rates apply.

LATE PAYMENT CHARGE

The above net rates apply if the current bill is paid in full within 15 days of the date of such bill and if all previous undisputed bills have been paid in full. A late payment charge of 2.0% per month of the unpaid balance of a bill will be made for failure to make payment in full by the due date. These charges are to be calculated on the overdue portions of the bill only. Such interest rate, when annualized, shall not exceed 15% simple interest per annum.

DETERMINATION OF CUSTOMER'S BILLING DEMAND

The Measured Demand for any month shall be the average of the weekly demands established during the calendar weeks ending within the billing month. The Weekly Demand shall be the maximum simultaneous fifteen-minute kilovolt-ampere demand but not less than 50 percent of the highest weekly demand of the month. The Billing Demand in the current month shall be the greatest of: (i) twenty-five (25) kW, (ii) the Measured Demand established in the month during On-peak hours, (iii) forty percent (40%) of the Measured Demand established in the month during Off-peak hours, (iv) 18,000 kW, or (v) fifty percent (50%) of the highest billing demand established during the preceding eleven (11) months.

Measured Demand shall be determined from the synchronous aggregation of the substation meters with adjustments made to eliminate double counting of peak load when load is moved among substations causing a peak.

(C) Change

West Penn Power Company
***Pro Forma* Supplement to Tariff Electric Pa. P.U.C. No. 40 and West Penn Power**
Company – The Pennsylvania State University Tariff electric Pa. P.U.C. No. 38
Supplemental Information Required by 52 Pa. Code § 53.52(a)

West Penn Power Company (“West Penn” or “Company”) submits the following information in support of its *Pro Forma* Supplement to Tariff Electric Pa. P.U.C. No. 40 and West Penn Power Company – The Pennsylvania State University Tariff electric Pa. P.U.C. No. 38. In response to each of the applicable subsections of 52 Pa. Code § 53.52(a), West Penn states the following:

52 Pa. Code § 53.52(a)(1)

- Q. The specific reasons for each change.
- A. On November 8, 2018 the Commission issued a Final Policy Statement, under Docket No. M-2017-26043832, instructing electric distribution companies to file a tariff amendment including certain information related to third-party owned electric vehicle charging stations. The purpose of this filing is to amend West Penn’s tariff in a manner consistent with the Final Policy Statement.

52 Pa. Code § 53.52(a)(2)

- Q. The total number of Customers served by the utility.
- A. As of September 30, 2018, the Company served a total of 725,513 Customers.

52 Pa. Code § 53.52(a)(3)

- Q. A calculation of the number of Customers, by tariff subdivision, whose bills could be affected by the change.
- A. There are 622,528 Residential Customers, 102,319 Commercial Customers and 666 Industrial Customers whose bills could be affected by the change.

52 Pa. Code § 53.52(a)(4)

- Q. The effect of the change on the utility’s Customers.
- A. This change clarifies the tariff rules and has no direct effect on the Company’s Customers.

52 Pa. Code § 53.52(a)(5)

- Q. The effect, whether direct or indirect, of the proposed change on the utility’s revenues and expenses.
- A. There will be minimal effect, direct or indirect, on the Company’s revenues or expenses.

52 Pa. Code § 53.52(a)(6)

- Q. The effect of the change on the service rendered by the utility.
- A. There will be no effect on the service rendered by the Company.

52 Pa. Code § 53.52(a)(7)

- Q. A list of factors considered by the utility in its determination to make the change. The list shall include a comprehensive statement as to why these factors were chosen and the relative importance of each. This subsection does not apply to a portion of a tariff change seeking a general rate increase as defined in 66 Pa. C.S. § 1308 (relating to voluntary changes in rates.).
- A. This change is consistent with the Commission's Final Policy Statement entered November 8, 2018, under Docket No. M-2017-2604382.

52 Pa. Code § 53.52(a)(8)

- Q. Studies undertaken by the utility in order to draft its proposed change. This paragraph does not apply to a portion of a tariff change seeking a general rate increase as defined in 66 Pa. C.S. § 1308.
- A. The Company has not performed any specific studies concerning the proposed changes.

52 Pa. Code § 53.52(a)(9)

- Q. Customer polls taken and other documentation which indicates Customer acceptance and desire for the proposed change. If the poll or other documents reveal discernible opposition, an explanation of why the change is in the public interest shall be provided.
- A. The Company did not conduct any Customer polls.

52 Pa. Code § 53.52(a)(10)

- Q. Plans the utility has for introducing or implementing the changes with respect to its ratepayers.
- A. Other than through the instant filing, the Company has no plans for introducing the changes with respect to its ratepayers. There will be no noticeable change to rates, bills, or service rendered.

52 Pa. Code § 53.52(a)(11)

- Q. F.C.C., F.E.R.C., or Commission orders or rulings applicable to the filing.
- A. See the response to 52 Pa. Code § 53.52(a)(7).

West Penn Power Company
***Pro Forma* Supplement to Tariff Electric Pa. P.U.C. No. 40 and West Penn Power**
Company – The Pennsylvania State University Tariff electric Pa. P.U.C. No. 38
Supplemental Information Required by 52 Pa. Code § 53.52(b)

West Penn Power Company (“West Penn” or “Company”) submits the following information in support of its *Pro Forma* Supplement to Tariff Electric Pa. P.U.C. No. 40 and West Penn Power Company – The Pennsylvania State University Tariff electric Pa. P.U.C. No. 38. In response to each of the applicable subsections of 52 Pa. Code § 53.52(b), West Penn states the following:

52 Pa. Code § 53.52(b)(1)

Q. The specific reasons for each increase or decrease.

A. See the response to 52 Pa. Code § 53.52(a)(1).

52 Pa. Code § 53.52(b)(2)

Q. The operating income statement of the utility for a 12-month period, the end of which may not be more than 120 days prior to the filing.

A. See page 4 of this response for West Penn’s operating income statement for the twelve months ended September 30, 2018.

52 Pa. Code § 53.52(b)(3)

Q. A calculation of the number of customers, by tariff subdivision, whose bills will be increased.

A. Not applicable.

52 Pa. Code § 53.52(b)(4)

Q. A calculation of the total increases, in dollars, by tariff subdivision, projected to an annual basis.

A. Not applicable.

52 Pa. Code § 53.52(b)(5)

Q. A calculation of the number of customers, by tariff subdivision, whose bills will be decreased.

A. Not applicable.

52 Pa. Code § 53.52(b)(6)

Q. A calculation of the total decreases, in dollars, by tariff subdivision, projected to an annual basis.

A. Not applicable.

West Penn Power Company
Statements of Income
(In Thousands)
Unaudited

Line No.	Description	Twelve months	
		Ended September 30,	
		2018	2017
1	Operating Revenues	<u>\$1,029,457</u>	<u>\$993,456</u>
	Operating Expenses:		
2	Power purchased and interchange:	\$417,616	\$395,481
3	Nuclear operating costs	-	-
4	Other operation and maintenance	322,239	249,344
5	Depreciation and amortization	667	80,333
6	Goodwill Impairment	-	-
7	Taxes, other than income taxes	<u>59,615</u>	<u>56,770</u>
8	Total operating expenses	<u>\$800,137</u>	<u>\$781,928</u>
9	Operating Income Before Income Taxes	<u>\$229,320</u>	<u>\$211,528</u>
10	Income taxes	<u>\$54,822</u>	<u>\$70,966</u>
11	Operating Income	<u>\$174,498</u>	<u>\$140,562</u>
	Other Income and Deductions:		
12	Allowance for other funds used during construction	\$ -	\$ -
13	Other income/(expense), net	(6,376)	(5,708)
14	Income taxes	<u>2,140</u>	<u>2,587</u>
15	Total other income and deductions	<u>(\$4,236)</u>	<u>(\$3,121)</u>
16	Income Before Interest Charges	<u>\$178,734</u>	<u>\$143,683</u>
	Interest Charges:		
17	Long term debt	\$30,356	\$29,611
18	Trust preferred securities	-	-
19	Other interest	2,732	(1,256)
20	Deferred Interest Income	-	-
21	Company-obligated mandatorily redeemable preferred securities	-	-
22	Allowance for borrowed funds used during construction	-	-
23	Total interest charges	<u>\$33,088</u>	<u>\$28,355</u>
24	Income/(Loss) Before Extraordinary Items	\$145,646	\$115,328
25	Extraordinary item	-	-
26	Net Income	<u>\$145,646</u>	<u>\$115,328</u>
27	Preferred stock dividends	-	-
28	Loss on preferred stock reacquisition	-	-
29	Earnings Available for common stock	<u>\$145,646</u>	<u>\$115,328</u>