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March 7, 2024

Via Electronic Filing

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

Re: Petition of PECO Energy Company for Approval of its Default Service Program for the Period of June 1, 2025, through May 31, 2029 – Docket No. P-2024-3046008

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Retail Energy Supply Association's ("RESA") Prehearing Memorandum with regard to the above-referenced matter. Copies to be served in accordance with the attached Certificate of Service.

Sincerely,



Deanne M. O'Dell

DMO/lww
Enclosure

cc: Hon. Eranda Vero w/enc.
Hon. Arlene Ashton w/enc.
Cert. of Service w/enc.

CERTIFICATE OF SERVICE

I hereby certify that this day I served a copy of RESA's Prehearing Memorandum upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

Via Email Only

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PECO Energy Company for :
Approval of Its Default Service Plan for : Docket Nos. P-2024-3046008
the Period from June 1, 2025 Through :
May 31, 2029 :

**PREHEARING MEMORANDUM
OF RETAIL ENERGY SUPPLY ASSOCIATION**

Pursuant to 52 Pa. Code §§ 5.72-5.75, the Prehearing Conference Order dated March 4, 2024, and subject to the granting of its Petition to Intervene filed on March 4, 2024, the Retail Energy Supply Association (“RESA”)¹ submits this Prehearing Memorandum.

I. BACKGROUND

On February 2, 2024, the Company filed a petition with the Pennsylvania Public Utility Commission (“Commission” or “PUC”) proposing to establish the terms and conditions under which it will procure default service supplies, provide default service to non-shopping customers, satisfy requirements imposed by the Alternative Energy Portfolio Standards Act (“AEPS Act”) and recover all associated costs on a full and current basis for the period from June 1, 2025 through May 31, 2029. By public notice published in the *Pennsylvania Bulletin* on February 17, 2024, the Commission established a deadline of March 4, 2024 for formal protests, petitions to intervene and answers. A telephonic prehearing conference has been scheduled for March 8, 2024 before Administrative Law Judges (“ALJs”) Eranda Vero and Arlene Ashton.

¹ The comments expressed in this filing represent the position of the Retail Energy Supply Association (RESA) as an organization but may not represent the views of any particular member of the Association. Founded in 1990, RESA is a broad and diverse group of retail energy suppliers dedicated to promoting efficient, sustainable and customer-oriented competitive retail energy markets. RESA members operate throughout the United States delivering value-added electricity and natural gas service at retail to residential, commercial and industrial energy customers. More information on RESA can be found at www.resausa.org.

The adjudication of PECO's Petition will have a direct impact on the ability of RESA's members to provide competitive electric supply to retail customers in PECO's service territory because the structure of the default service product, including how supply is procured and how the resulting retail price is portrayed to customers, directly impacts whether or not RESA members are well positioned to develop and offer customer competitive retail options. In addition, PECO, as the default service supplier and the historical monopoly provider, continues to maintain direct access and control of necessary information, data and operations necessary to facilitate the ability of RESA members to access critical operations necessary to provide competitive supply to retail customers. RESA seeks to intervene in this proceeding for the purpose of evaluating the proposed changes by PECO as well as other parties who may intervene in this processing and any associated impacts on the ability of EGSs to continue to operate in the PECO service territory by offering competitive supply options to retail end user customers.

II. ISSUES

As explained in its Petition to Intervene, many RESA members are licensed to provide electric supply to retail customers in the PECO service territory and will be specifically and substantially affected by the outcome of this proceeding, which may alter the terms and conditions under which electric generation suppliers ("EGSs") provide service to retail end users. RESA members are continuing to evaluate PECO's proposals and the forthcoming positions of other parties in relation to their interests and will determine to what extent, if necessary, it identifies issues necessary to bring to the Commission's attention. As such, RESA reserves the right to raise other issues identified through its continued review and analysis in this case.

III. PROCEDURAL SCHEDULE

RESA will cooperate with the parties and presiding officer to develop a reasonable procedural schedule.

IV. HEARINGS

At this time, RESA continues to evaluate the issues in this proceeding and is unable to estimate the amount of hearing time (if any) that may be needed.

V. WITNESSES

At this time, RESA is still considering whether or not to present testimony in this matter. RESA reserves the right to present a witness, as may be necessary, depending on the course of the proceeding. If RESA decides to present testimony, RESA will provide reasonable notice to ALJs Vero and Ashton, as well as the parties. RESA also reserves its right to add or change the identity of its witnesses at any time, upon appropriate notice the ALJs and the parties.

VI. POSSIBILITY OF SETTLEMENT

RESA is willing to participate in settlement discussions with the parties to narrow the issues in this matter.

VII. SERVICE OF DOCUMENTS

RESA's attorneys in this matter are:

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RESA prefers that documents be served electronically to the above email addresses and agrees to receive service of documents electronically in this proceeding. To the extent that materials are not available electronically, RESA requests that only one hard copy of documents, if any, be served upon Deanne O'Dell at the above mailing address.

Respectfully submitted,



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Dated: March 7, 2024

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