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March 7, 2024

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

VIA ELECTRONIC FILING

RE: Petition of PECO Energy Company for Approval of Its Default Service Plan for the Period from June 1, 2025 Through May 31, 2029; Docket No. P-2024-3046008

Dear Secretary Chiavetta:

Attached for filing with the Pennsylvania Public Utility Commission is the Prehearing Memorandum of the Philadelphia Area Industrial Energy Users Group ("PAIEUG"), in the above-referenced proceeding.

As shown by the attached Certificate of Service, all parties to this proceeding are being duly served with a copy of this filing. If you have any questions regarding the document, please contact the undersigned. Thank you.

Sincerely,

A handwritten signature in cursive script that reads 'Charis Mincavage'.

Charis Mincavage
MCNEES WALLACE & NURICK LLC

Counsel to the Philadelphia Area Industrial Energy Users Group

c: Administrative Law Judge Eranda Vero (via e-mail)
Administrative Law Judge Arlene Ashton (via e-mail)
Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a true copy of the foregoing document upon the participants listed below in accordance with the requirements of Section 1.54 (relating to service by a participant).

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Certificate of Service

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Charis Mincavage

Counsel to the Philadelphia Area Industrial
Energy Users Group

Dated this 7th day of March, 2024, in Harrisburg, Pennsylvania

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PECO Energy Company :
for Approval of Its Default Service Plan : Docket No. P-2024-3046008
for the Period from June 1, 2025 Through :
May 31, 2029 :

**PREHEARING MEMORANDUM OF
THE PHILADELPHIA AREA INDUSTRIAL ENERGY USERS GROUP**

As requested by Administrative Law Judges ("ALJs") Eranda Vero and Arlene Ashton in their Prehearing Conference Order dated March 4, 2024, the Philadelphia Area Industrial Energy Users Group ("PAIEUG") hereby submits this Prehearing Memorandum.

I. HISTORY OF THE PROCEEDING

On February 2, 2024, PECO Energy Company ("PECO" or the "Company") filed with the Pennsylvania Public Utility Commission ("PUC" or "Commission") a Petition for Approval of the Company's sixth Default Service Program ("DSP VI"). Through its Petition for Approval of DSP VI ("Petition"), PECO outlined the Company's proposed procurement plan, implementation plan, and contingency plan for acquiring default service energy supply for all PECO customers who, upon expiration of DSP V on May 31, 2025, do not take generation service from an alternative electric generation supplier ("EGS") or who contract for energy with an EGS, which is not delivered. The Company's filing proposes to continue the existing products and programs approved under PECO's DSP V.

On February 21, 2024, PAIEUG filed a Petition to Intervene in this proceeding. A description of PAIEUG is set forth in Paragraph 1 of PAIEUG's Petition to Intervene.

A Prehearing Conference has been scheduled in this proceeding for March 8, 2024.

II. COUNSEL

PAIEUG is represented in this matter by:

Charis Mincavage (Pa. I.D. No. 82039)
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III. ANTICIPATED ISSUES AND SUB-ISSUES

As some of PECO's largest customers, PAIEUG members are in a unique position to comment to the Commission on the customer impact of PECO's Petition and the consequences for Large Commercial and Industrial ("C&I") customers. PAIEUG is concerned with issues regarding the terms and conditions of its members' electricity service and, therefore, intends to examine issues related to the application of PECO's DSP VI to Large C&I customers. PAIEUG also reserves the right to raise further issues as necessary and appropriate during the course of this proceeding and to respond to issues raised by other parties.

IV. PROPOSED WITNESSES

PAIEUG is in the process of evaluating whether it will sponsor testimony in this proceeding. In the event that PAIEUG decides to sponsor testimony, it will immediately inform the parties and the ALJs of any intended witnesses and topics of testimony. PAIEUG will defer to the parties at the Prehearing Conference regarding the limitation on the number of witnesses. PAIEUG also intends to participate in this proceeding through the submission of discovery, cross-examination of other parties' witnesses, and the submission of briefs, exceptions, and reply exceptions, if necessary.

V. PROPOSED SCHEDULE AND DISCOVERY RULES

PAIEUG will cooperate with the ALJs and the parties at the Prehearing Conference to determine whether this proceeding should be decided upon legal briefs or whether a hearing is required. If a hearing is required, PAIEUG will defer to the parties on the amount of hearing time needed to dispose of this proceeding. PAIEUG does not oppose the procedural schedule set forth in the Petition. PAIEUG will also cooperate with the ALJs and the parties at the Prehearing Conference to develop appropriate discovery or production rules in accordance with the Commission's regulations and any directives issued by the ALJs.

VI. OTHER MATTERS

PAIEUG will cooperate with the ALJs and the parties at the Prehearing Conference with respect to the exchange and acceptance of exhibits proposed to be offered into evidence and obtaining admissions as to, or stipulations of, facts not remaining in dispute, or the authenticity of documents which might shorten the hearing.

VII. SETTLEMENT

PAIEUG is willing to participate in settlement discussions with the other parties to amicably resolve the issues in this proceeding, subject to Commission approval.

Respectfully submitted,

McNEES WALLACE & NURICK LLC

By 

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Counsel to the Philadelphia Area Industrial
Energy Users Group

Dated: March 7, 2024