



CITY OF PHILADELPHIA

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August 1, 2011

Via Electronic Filing

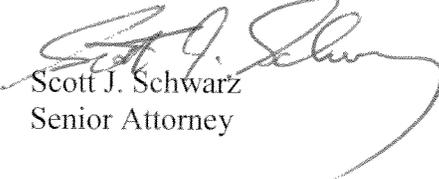
Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Petition of PECO Energy Company for Approval of its Act 129 Energy
Efficiency and Conservation Plan and Expedited Approval of its Compact
Fluorescent Lamp Program
Docket No. M-2009-2093215

Dear Secretary Chiavetta:

Enclosed for filing please find the Comments of the City of Philadelphia in the
above-referenced matter, along with a Certificate of Service showing that copies of the
enclosed document have been served upon parties of record.

Very truly yours,


Scott J. Schwarz
Senior Attorney

Enclosure

cc: Per Certificate of Service

**BEFORE THE PENNSYLVANIA PUBLIC
UTILITY COMMISSION**

Petition of PECO Energy Company for :
Approval of its Act 129 Energy Efficiency :
and Conservation Plan and Expedited : Docket No. M-2009-2093215
Approval of its Compact Fluorescent :
Lamp Program :

**COMMENTS OF
THE CITY OF PHILADELPHIA**

The City of Philadelphia (City) submits these Comments in response to the Petition of PECO Energy Company For Approval of Minor Changes to Its Act 129 EE&C Plan Pursuant to the Commission’s Expedited Review Process. The City is filing these comments pursuant to the Commission’s expedited review process, as established by the Commission’s Final Order entered on June 10, 2011 in Docket No. M-2008-2069887.

I. INTRODUCTION AND BACKGROUND

1. On July 1, 2009, PECO Energy Company (PECO) filed its proposed Energy Efficiency and Conservation Plan (Plan) and a petition to approve the Plan with the Pennsylvania Public Utility Commission (Commission). The matter was assigned to Administrative Law Judge Marlane R. Chestnut (ALJ Chestnut) for investigation.

2. ALJ Chestnut granted the City’s Petition to Intervene on July 30, 2009.

3. By Order entered October 28, 2009, the Commission granted, in part, and denied, in part, PECO’s petition for approval of its Plan and directed that PECO file a revised Plan with the Commission. PECO filed a revised Plan with the Commission on

December 23, 2009. The Commission approved PECO's revised Plan by Opinion and Order entered February 17, 2010.

4. On September 15, 2010, PECO filed proposed changes in its Plan with the Commission. The Commission approved PECO's proposed revisions to its Plan by Opinion and Order entered January 28, 2011.

5. By a Final Order entered on June 10, 2011 in Docket No. M-2008-2069887 (the Expedited Review Order), the Commission established an expedited review process for minor changes to Act 129 Energy Efficiency and Conservation Plans (EE&C Plans). Under the Expedited Review Order, all interested parties are directed to file comments on proposed minor EE&C Plan changes within 15 days after the proposed minor EE&C Plan changes have been filed with the Secretary. In addition, the authority to review and approve minor EE&C Plan changes, as defined in the Expedited Review Order, is delegated to the staff of the Bureau of Conservation, Economics and Energy Planning, with assistance from the Bureau of Fixed Utility Services and the Law Bureau.

6. As required by the Commission's October 2009 Order, PECO has met with stakeholders at least twice per year for collaborative exchanges concerning the Plan. The City has participated in many of PECO's stakeholder meetings.

II. RESPONSE TO PROPOSED CHANGES

7. The City supports most of the minor changes proposed by PECO. PECO has acted responsibly in providing program information and regular updates to the stakeholders. Program flexibility of the type reflected by the Commission's Expedited

Review Order is important for identifying and supporting the most cost-effective energy efficiency measures.

8. The City opposes the proposed elimination of the retro-commissioning measure. As an energy conservation measure, the City is considering what is essentially continuous commissioning. The City believes that this approach should eliminate degradation of savings over time. If retro-commissioning is paired with measurement, verification and monitoring, there is no reason why a retro-commissioning project cannot achieve sustainable savings. Therefore, the City suggests that PECO retain retro-commissioning, with measurement, verification and monitoring, as an eligible measure in its Permanent Load Reduction Program.

9. The City's support for the other proposed minor changes should not be confused with support for any future proposed major changes or discontinuing the Act 129 program. The City believes that a continuous effort to engage and educate customers about energy efficiency through May 31, 2013 is essential for supporting a more advantageous business and residential energy climate in the Commonwealth.

III. CONCLUSION

For the reasons stated above, the City supports PECO's proposed minor changes, with the exception of the proposed elimination of retro-commissioning. The City suggests that retro-commissioning be retained as part of the Plan's Permanent Load Reduction Program. The City further requests that any approval of the proposed changes specify that PECO may not discontinue or make any major modifications to its Plan without additional review and approval by the Commission.

Respectfully submitted,

By: 

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Dated: August 1, 2011

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Lamp Program :

CERTIFICATE OF SERVICE

I hereby certify that I am serving true and correct copies of the foregoing
Comments dated August 1, 2011, by first-class mail upon the individuals listed
below, in accordance with the requirements of 52 Pa Code § 1.54 (relating to service by
parties):

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