

**THE PENNSYLVANIA UTILITY LAW PROJECT  
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**February 10, 2014**

**RE:** Petition of PECO Energy Company for Approval :  
of its Default Service Program CAP Shopping Plan : P-2012-2283641

Via E-Filing

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

Dear Secretary Chiavetta

Enclosed please find the Joint Petition for Reconsideration and/or Clarification and for Stay on behalf of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania ("CAUSE-PA") and Tenant Union Representative Network and Action Alliance of Senior Citizens of Greater Philadelphia (collectively, "TURN"), in the above referenced proceeding. Electronic and hard copies have been sent to the parties consistent with the attached certificate of service.

Should you have any question or concerns about this filing please do not hesitate to contact the undersigned.

Respectfully submitted,



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*Counsel for CAUSE-PA*

CC: Hon Cynthia W. Fordham  
Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PECO Energy Company for Approval :  
of its Default Service Program CAP Shopping Plan : P-2012-2283641

**Certificate of Service**

I hereby certify that I have this day served copies of the Joint Petition for Reconsideration and/or Clarification and Stay filed on behalf of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (“CAUSE-PA”) and the Tenant Union Representative Network and Action Alliance of Senior Citizens of Greater Philadelphia (collectively, “TURN”) via Email and US Postal Service First Class Mail upon the statutory parties and counsel of record in the captioned matters as set forth below in accordance with the requirements of 52 Pa. Code § 1.54:

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Harry S. Geller

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Petition of PECO Energy Company for Approval :  
of its Default Service Program : P-2012-2283641  
(Customer Assistance Program Shopping Plan) :**

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**JOINT PETITION FOR RECONSIDERATION AND/OR  
CLARIFICATION  
AND STAY OF THE OPINION AND ORDER  
ENTERED JANUARY 24, 2014  
BY THE  
COALITION FOR AFFORDABLE UTILITY SERVICES AND  
ENERGY EFFICIENCY IN PENNSYLVANIA (“CAUSE-PA”) AND  
THE TENANT UNION REPRESENTATIVE NETWORK AND  
ACTION ALLIANCE OF SENIOR CITIZENS OF GREATER  
PHILADELPHIA (COLLECTIVELY, “TURN”)**

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February 10, 2014

## INTRODUCTION AND PROCEDURAL HISTORY

The Coalition For Affordable Utility Services and Energy Efficiency In Pennsylvania (“CAUSE-PA”) through their attorneys at the Pennsylvania Utility Law Project, and the Tenant Union Representative Network and Action Alliance of Senior Citizens of Greater Philadelphia (collectively, “TURN”), through their attorneys at Community Legal Services, Inc., (Collectively “Joint Petitioners”), hereby submit this Joint Petition pursuant to Public Utility Commission Regulations at 52 Pa. Code §§ 5.41 and 5.572, and request timely reconsideration and/or clarification of the Commission’s January 24, 2014 Opinion and Order. Additionally, to protect the status quo *ante* and to ensure that low-income CAP customers as well as other ratepayers who pay for CAP are not unduly harmed, Joint Petitioners request that the Commission Stay implementation of the January 24, 2014 Order pending reconsideration of the issues addressed herein.

This matter and its interrelated companion proceeding regarding the *PECO Energy Company Universal Service and Energy Conservation Plan for 2013-2015* (“Universal Services Plan” or “USEC Plan”) at Docket M-2012-2290911, have presented important issues for the Commission as PECO CAP customers are permitted for the first time to enter the competitive electric market.

On January 13, 2012, PECO filed a Petition for Approval of its Default Service Program (“Petition or “DSP II”) to this docket. The filing was made to establish the terms and conditions under which PECO will procure energy to fulfill its default service obligations to its non-shopping customers, satisfy the requirements imposed by the Alternative Energy Portfolio Standards Act<sup>1</sup> (“AEPs Act”), and recover all associated costs on a full and current basis for the

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<sup>1</sup> 73 P.S. §§ 1648.1-1648.8 and related provisions of 66 Pa. C.S. §§ 2813-14.

period of June 1, 2013 through May 31, 2015. On February 13, 2012, both CAUSE-PA and TURN filed Petitions to Intervene, and were granted Intervener status on March 19, 2012.

In its Opinion and Order entered on October 12, 2012, the Commission directed PECO to develop a Shopping Plan that will allow its Customer Assistance Program (“CAP”) customers to purchase generation supply from electric generation suppliers (“EGSs”) by January 1, 2014.

On November 8, 2012, the Commission issued a Tentative Order seeking comments on specific aspects of *PECO Energy Company Universal Service and Energy Conservation Plan for 2013-2015* (“Universal Services Plan” or “USEC Plan”) at Docket M-2012-2290911.

Upon review of the comments and reply comments filed pursuant to the November 8, 2012 Tentative Order, the Commission noted that some interested parties share the Commission’s concerns and some have requested the opportunity to participate in an evidentiary proceeding before an Administrative Law Judge (“ALJ”) to more fully review and analyze relevant data.

On January 3, 2013, the Commission issued a Secretarial Letter (the “Secretarial Letter”) in both the DSP II and Three Year Plan proceedings emphasizing the importance of the Commission entering a Final Order on PECO’s CAP Plan in the Three Year Plan proceeding before a CAP shopping plan was submitted in PECO’s DSP II proceeding. Therefore, the Commission directed PECO to file a CAP shopping plan on or around May 1, 2013, designed to allow CAP customers to shop by April 1, 2014.

On April 4, 2013 the Commission entered its Final Order on the amended Universal Service and Energy Conservation Plan for 2013-2015, as filed by PECO Energy Company on October 15, 2012. In its Final Order, the Commission partially approved PECO’s plan and

ordered PECO to file a second amended Universal Service and Energy Conservation Plan for 2013-2015 within 30 days.

In the instant proceeding, PECO requested that the Commission enter an Order: 1) approving the CAP Shopping Plan; (2) approving the proposed changes to the Company's Electric Tariff and Electric Generation Supplier Coordination Tariff (the "Supplier Tariff") to implement the Plan and achieve full and current recovery of Plan costs; (3) granting a waiver of the quarterly reconciliation provisions of the Commission's regulations (52 Pa. Code §§ 54.187(i) and (j)), to the extent necessary, to implement an annual reconciliation of the over/under collection component of the Generation Supply Adjustment ("GSA") for residential customers; and (4) approving a short delay in the commencement date of the Plan from April 1, 2014, to April 15, 2014, to accommodate the Company's information technology ("IT") programming and integrated software schedule.

On May 21, 2013, the Office of Consumer Advocate (OCA), CAUSE-PA and TURN filed Answers to the Petition.

In accordance with the procedural schedule, on June 12, 2013, the OCA, CAUSE-PA and Direct Energy filed direct testimony. Rebuttal testimony was filed by PECO, the OCA, the OSBA and CAUSE-PA on June 26, 2013. PECO, the OCA and CAUSE-PA filed surrebuttal testimony on July 2, 2013.

A Hearing was held on July 11, 2013 at which the pre-filed testimony and exhibits were admitted into the record. After Hearing, on July 26, 2013, Main Briefs (M.B.) were filed by PECO (Confidential and Non-Confidential), the OCA, the OSBA, CAUSE-PA, Direct Energy and the Philadelphia Area Industrial Energy Users Group (PAIEUG). Reply Briefs (R.B.) were filed by PECO, the OCA, the OSBA, CAUSE-PA, Direct Energy (Confidential and Public), FES

and PAIEUG on August 9, 2013. By Order Certifying the Record issued August 13, 2013, the ALJ certified the record of this proceeding to the Commission.

The Commission considered this matter at Public Meeting held January 9, 2014, at which a Motion by Commissioner Witmer was considered, and Statements by Commissioners Cawley and Brown were entered into the record. Commissioner Witmer's Motion passed 5-0 with a Partial Dissent by Commissioner Brown. The Commission's Opinion and Order was entered on January 24, 2014.

CAUSE- PA and TURN file this Joint Petition to Request Reconsideration and Clarification of the Commission's January 24, 2014 Opinion and Order, and request a Stay of the implementation of the Commission's January 24, 2014 Opinion and Order until all issues have been addressed in a Final Order. A stay is requested so as to avoid irreparable harm to low-income consumers.

**II. Legal Requirements for Granting Reconsideration Under 52 Pa. Code §5.592.**

In *Philip Duick et al. v. Pennsylvania Gas and Water Company*, Docket No. C-R0597001 (Order entered December 17, 1982), 1982 Pa. PUC LEXIS 4, 56 Pa. PUC 553 (1982), the Commission explained the basis for rescinding or amending a prior order:

A petition for reconsideration, under the provisions of 66 Pa. C.S. § 703(g), may properly raise any matters designed to convince the Commission that it should exercise its discretion under this code section to rescind or amend a prior order in whole or in part. . . . What we expect to see raised in such petitions are new and novel arguments, not previously heard, or considerations which appear to have been overlooked or not addressed by the Commission.

*Duick*, 1982 Pa. PUC LEXIS 4, at \*11-\*13.

In *Pennsylvania Public Utility Commission v. Jackson Sewer Corporation*, 2001 Pa. PUC LEXIS 44, the Commission also stated:

Additionally, a Petition for Reconsideration is properly before the Commission where it pleads newly discovered evidence, alleges errors of law, or a change in circumstances.

*Jackson Sewer*, 2001 Pa. PUC LEXIS 44, at \*6.

This Petition satisfies *Duick* and *Jackson Sewer*, in that the Petition raises issues “which appear to have been overlooked or not addressed by the Commission” and “alleges errors of law.” Specifically, Joint Petitioners raise the following arguments that the Commission may not have considered or may have overlooked, and seek reconsideration regarding:

- a) The Commission’s determination that it lacks authority to provide price protection for CAP customers through reasonable terms and conditions within PECO’s CAP Shopping Program is an error of law;
- b) The Commission’s failure to consider the irreparable harm caused to CAP and Non-CAP customers subjected to potential price spikes within the retail competitive market was not addressed by the Commission,
- c) The Commission’s failure to analyze or determine whether potential increases in costs to non-CAP low-income customers as a result of participation in the competitive retail electric market by CAP customers without benefit of PECO’s proposed price caps violates the Electricity Generation Customer Choice and Competition Act (“Choice Act”) was an error of law;
- d) The Commission’s failure to determine that requiring CAP customers to be subject to cancellation fees violates the Choice Act and was an error of law; and,
- e) Joint Petitioners seek clarification that PECO’s reporting requirements and the aggregated data will be publicly available.

For the reasons set forth below, CAUSE-PA and TURN submit that the Commission should grant reconsideration and clarification of the issues raised in this Petition and request that the Commission Stay the January 24, 2014 Order in Order to avoid irreparable harm to low-income rate-payers.

### **III. Requests for Reconsideration and/or Clarification**

#### **A. *The Commission has the authority to limit prices charged by the EGS.***

- a. The Choice Act contains the authority and the responsibility for the Commission to require that as part of its CAP, CAP customers participating in the competitive electric market receive price protection, pay no more than the PTC, do not pay switching or cancellation fees, that affordability for CAP shopping customers be maintained, and that CAP cost-effectiveness be maintained.

The Choice Act recognizes that, although direct access by retail customers to the competitive generation market was needed to enable competition, it was to be tempered by the Commission's continued role in ensuring affordability of electric service to the Commonwealth's most economically vulnerable citizens.

Joint Petitioners respectfully submit that the Commission has overlooked the authority and responsibility granted to it by the Electric Choice Act. The Act provides the Commission with such authority and guidance in its declaration of policy that electric service is essential to the health and well-being of residents, to public safety and to orderly economic development; and that electric service should be available to all customers on reasonable terms and conditions. 66 Pa. C.S. § 2802(9). The Act further directs that the Commonwealth must, at a minimum, continue the protections, policies and services that now assist customers who are low-income to afford electric service. *Id.* at § 2802(10). The Act defines "universal service and energy conservation" as policies, protections and services that help low-income customers to maintain electric service, *id.* at §2803; and further directs that Universal Service programs shall

be subject to the administrative oversight of the Commission which will ensure that the programs are operated in a cost-effective manner. *Id.* at § 2804(9). Each of these sections, individually, and as a whole address the Commission's authority and responsibility to create a CAP shopping environment in which entrance into the competitive electric market will not endanger a low-income's household to afford and maintain electric service. At the core of the Act's Universal Service provisions is the ability of the Commission to set the terms whereby an EGS who voluntarily chooses to serve CAP customers, must comply with reasonably developed rate ceilings. The Commission has recognized the applicability of the Choice Act to matters regarding PECO's CAP and to maintaining affordability for CAP customers. In its Final Order the Petition of PECO Energy Company for Approval of its Universal Service and Energy Conservation Plan for 2013-2015 at Docket M-2012-2290911, dated April 4, 2013 the Commission stated:

The Electricity Generation Customer Choice and Competition Act (Electric Competition Act), 66 Pa. C.S. §§ 2801-2812, became effective on January 1, 1997. The Natural Gas Choice and Competition Act (Gas Competition Act), 66 Pa. C.S. §§ 2201-2212, became effective on July 1, 1999. The primary purpose of these Competition Acts is to introduce competition into the electric generation and natural gas supply markets. The Competition Acts established standards and procedures for the restructuring of the electric and natural gas utility industries. While opening the markets to competition, the Competition Acts also include several provisions relating to universal service in order to ensure that utility service remains available to all customers in the Commonwealth.

The universal service provisions of the Competition Acts, among other things, tie the affordability of electric service to a customer's ability to pay for that service. The Competition Acts define "universal service and energy conservation" as the policies, practices and services that help low income customers maintain utility service. The term includes customer assistance programs, usage reduction programs, service termination protections, and consumer education. 66 Pa. C.S. §§ 2202 and 2803. The Competition Acts declare that the Commonwealth must, at a minimum, continue the low income policies, practices, and services that were in existence as of the effective date of the laws. 66 Pa. C.S. §§ 2203(7) and 2802(10). Finally, the Competition Acts require the Commission to ensure that

universal service and energy conservation services are appropriately funded and available in each utility distribution territory. C.S. §§ 2203(8) and 2804(9).

(Docket M-2012-2290911, Final Order at 2-3.)

Thus, the Commission's determination that it has no authority to ensure that CAP customers enter the competitive electric market with the benefit of price controls appropriate to address the issue of economic harm and the reduction of protections, policies and services that now assist customers who are low-income to afford electric service, overlooks the statutory authority provided by these sections of the Choice Act. The Commission's order overlooked the authority within Choice Act which requires that it ensure that CAP customers have available to them programs to assist them to maintain service at affordable levels. This authority allows the Commission to insist that EGSs who want serve CAP customers must abide by certain rules, including price protection.

- b. The Commission's January 24, 2014, Opinion and Order cites the Standard Offer Program which requires EGSs to charge prices below the Price to Compare

Indeed, contrary to its statement that it lacks the authority to limit prices charged by an EGS, the Commission overlooked or ignored the fact that it has used that authority in authorizing PECO's Standard Offer Program. The January 24, 2014, Opinion and Order cites the Standard Offer Program and directs that CAP Customers be able to participate in that program. The creation of the Standard Offer and the direction by the Commission that PECO enable CAP customers to participate in it highlights that the Commission has already determined that it has the authority to limit EGS' prices below the PTC, has used that authority, and has directed PECO to enable its CAP customers to participate in a program which is required to charge all participating customers 7% below the PTC. (January 24, 2014 Order at 14, 27-28.)

The Commission has directed the Commission's Office of Competitive Market Oversight to work with PECO to ensure that, to the extent possible, the Standard Offer Program is available to CAP customers. In developing the Standard Offer Program, the Commission directed that any EGS who desires to participate in the Standard Offer Program must obligate itself to offer a twelve-month product with a fixed-price at least seven percent below the applicable PTC in effect at the time the standard offer is made. Further, in the January 24, 2014, Opinion and Order at issue here, the Commission directs that "PECO begin allowing interested CAP customers into the Standard Offer Program as of April 15, 2014." (Order at 28.)

The Commission authority to approve the Standard Offer Program which requires a participating EGS to charge 7% below the PTC logically provides the Commission that same authority to require that an EGS, who wishes to voluntarily participate in PECO's CAP, charge its most economically vulnerable customers no more than the PTC. PULP and TURN submit that the Commission has overlooked this authority and should reconsider its January 24, 2014 Order.

- c. The Commission has also overlooked its determination within the Standard Offer Program prohibiting EGSs from charging early termination or switching fees .

Joint Petitioners submit that the Commission, contrary to its statement that "[w]e are also of the opinion that, just as with pricing limitations, we lack the legal authority to prohibit EGSs from charging early termination or switching fees, the Commission has again overlooked its use of that authority in authorizing the controlling of termination and switching fees in PECO's Standard Offer Program.

- d. Prior determinations have limited the prices charged by an EGS who elects to participate in voluntary programs.

Joint Petitioners submit that the Commission has also overlooked its prior determinations in which the Commission has established limitations on prices charged by any EGS that

voluntarily elects to participate. See, e.g., October 12 Order at 114; Joint Petition of Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company for Approval of Their Default Service Programs, Docket Nos. P-2011-2273650, P-2011-2273668, P-2011-2273669, P-2011-2273670 at 146 (Aug. 16, 2012) (FirstEnergy Order); Petition of PPL Electric Utilities Corporation for Approval of a Default Service Program and Procurement Plan, Docket No. P-2012-2302074 at 170-171 (Jan. 24, 2013); Petition of Duquesne Light Company for Approval of a Default Service Program and Procurement Plan for the Period of June 1, 2013 through May 31, 2015, Docket No. P-2012-2301664 (Jan. 25, 2013).

The Commission's determination that it has no authority to limit the prices charged by an EGS overlooks its determination in prior proceedings in which the Commission has established limitations on EGS prices. Reconsideration is therefore appropriate and should be granted.

**B. The Commission has overlooked the irreparable harm caused to CAP customers subjected to potential price spikes within the retail competitive market.**

- a. Low-income customers, unable to absorb the increased costs have their health and safety imperiled.

The Commission has also overlooked the irreparable harm that will be caused to CAP customers subjected to potential price spikes within the retail competitive market. Low-income CAP customers of PECO are uniquely situated, economically vulnerable, and require specific and distinct protection within the retail electric market as compared to other electric customers.

In his testimony, CAUSE-PA witness Miller noted that PECO's CAP customers participate in PECO's CAP because they are economically vulnerable, require specific assistance to afford their electric bills and to maintain electric service. It is precisely their status as CAP customers that render them distinct from other PECO residential customers. (CAUSE-PA CAP

Shopping Statement No.1-R at 2:10-13.) Mr. Miller further points out that the unique characteristic of economic vulnerability has been recognized by the General Assembly in the Choice Act and by the Commission through its CAP policies, orders and guidelines. He concludes that the *consequences* of a poor shopping decision – or an initially good decision that later turns into a poor decision through not paying careful attention– are far direr to a low-income household than a non-low-income households. (CAUSE-PA CAP Shopping Statement No. 1-R at 2:14-17.) Additionally, the direct testimony of OCA witness Roger Colton demonstrated that EGS prices higher than the price to compare would adversely affect the ability of CAP customers to pay their bills; and **would increase the depth as well as the incidence of unaffordability for CAP customers;** (OCA St 1 at 5-10 **emphasis added.**)

Recent events not considered by the Commission demonstrate this point. For example, Data recently obtained in the course of an on-going time-of-use proceeding demonstrates that CAP customers within the PPL service territory are generally paying more to competitive suppliers than CAP customers who received default service from PPL. Over the course of 2013, 58% to 82% of PPL's CAP customers who switched to competitive suppliers were paying more for electricity service than the PPL default service price to compare. The average for the year was 67%. That is, over the course of 2013, two-thirds of all bills rendered to PPL CAP customers who were receiving EGS-provided service were higher than utility provided default service.

Additionally, the dramatic wholesale price increase in January 2014 has demonstrated the impact variable price contracts, without benefit of rate ceilings, could have on residential bills. In a January 31, 2014 press release, the Commission made note of these price increases, the danger to consumers of the increased prices, and warned customers to be vigilant. For CAP and

non-CAP low-income customers who have no elasticity within their budget, who are unable to shoulder the burden of even one month's increased electric bill without jeopardizing their ability to maintain continued electric service, a price spike of this magnitude is potentially disastrous. The health and safety and financial security of these low-income households are immediately imperiled. This recent price spike can cause significant and irreversible harm for both CAP customers and non-CAP low income residential ratepayers. Furthermore, the requirement that PECO initiate its CAP shopping program on April 15<sup>th</sup>, when winter protections and the LIHEAP program are no longer in effect, add to the significant possibility of irreparable damage.

Joint Petitioners respectfully submit that the Commission has overlooked the effect that price spikes, such as those which occurred just this past month, could have on economically vulnerable low-income CAP and non-CAP customers entering the competitive electric shopping market without benefit of reasonable price caps. For this reason it is submitted that the Commission grant reconsideration and issue an immediate stay of its January 24, 2014 Order.

- b. CAP customers subject to cancellation fees will be unable to leave unaffordable variable rate contracts and will suffer irrevocable harm.

Joint Petitioners further submit that the Commission has overlooked the fact that CAP customers subject to cancellation fees will be financially unable to leave unaffordable variable rate contracts and will suffer irrevocable harm. The Choice Act was intended to ensure that electric service should be available to all customers on reasonable terms and conditions. Cancellation fees place an additional cost on low-income customers which they can ill-afford under any circumstance. The consequence to these households will be even more egregious and likely to cause irreparable harm in the event of price spikes. The Commission has previously indicated a desire to shield CAP customers from harm in its *Investigation of Pennsylvania's Retail Electricity Market: Intermediate Work Plan Final Order*. The Commission stated that

CAP customers who are participating in the competitive retail energy market should not be subject to harm, or a loss of benefits. The Commission stated:

We also do see significant merit and agree with the comments provided by AARP/PULP/CLS, Constellation, OCA, PCADV and PEMC that CAP customers should not be subject to harm, i.e., loss of benefits, if they are deemed to participate in the auctions. ((Docket No. I-2011-2237952 at 43.)

It is difficult to imagine a more significant harm that could befall a low-income CAP customer participating in the competitive electric market than to be subject to significant price increases that continue without benefit of a price ceiling or without the benefit of the economic ability to pay the fees needed to be released from that contract.

CAUSE-PA and TURN therefore submit that the Commission has overlooked the fact that CAP customers subject to termination or switching fees will be financially unable to leave unaffordable variable rate contracts and will suffer irrevocable harm. For this reason it is submitted that the Commission grant reconsideration and issue an immediate stay of its January 24, 2014 Order.

**C. The Commission should clarify its January 24, 2014 Order concerning the required reporting obligations.**

The Commission has failed to address the specific elements of the reporting requirements that it imposed on PECO. CAUSE-PA and TURN request clarification regarding reporting requirements, their content and availability and request that the Commission reconsider its January 24, 2014 Order for the purpose of providing clarity.

CAUSE-PA witness Miller stated (CAUSE-PA ST 1-SR at 3) that to facilitate the monitoring responsibilities of both PECO and the Commission, there needs to be a specific determination of the information to be provided and reported by an EGS.) Miller indicated that

he supported OCA witness Colton's recommendation that the PUC should retain the right to publish in aggregated format information on CAP customer shopping participation, the impact on universal service as a result of CAP customer shopping and the discretion to determine on a case by case basis whether or not the EGS reports provided may be discoverable. (OCA ST CAP-1R 10:7-11:9) As Miller pointed out

At a minimum, I would expect that all parties will benefit from a clear understanding of the EGS reporting requirements and which entity will be responsible for monitoring and ensuring compliance of the CAP Shopping plan and its component parts. I would submit that the Commission should clarify its expectations about EGS reporting and the monitoring and enforcement obligations it expects PECO to undertake.

(CAUSE-PA ST 1-SR at 3)

In addition, the January 24, 2014 Ordering Paragraph 3 (at 49) directs that "PECO Energy Company, in consultation with the Commission's Office of Competitive Market Oversight and Bureau of Consumer Services, shall submit semi-annual reports to the Commission that reflect the net benefits of allowing Customer Assistance Program customers to purchase their generation supply from electric generation suppliers."

Joint Petitioners submit that this paragraph fails to provide the specificity needed regarding the reporting requirements requested by OCA and CAUSE-PA and further, as written, would appear to require the development of an incomplete and imbalanced report that reflects only the net benefits of allowing Customer Assistance Program customers to purchase their generation supply from electric generation suppliers and none of the details in which interested parties could determine if the underlying data actually supports a conclusion of benefits, costs, or harms that may have occurred.

Joint Petitioners therefore request that the Commission grant reconsideration and provide clarification as to the details of the reporting requirements, their content, and availability to the parties to this proceeding and the public generally.

### III. CONCLUSION

Wherefore for these reasons, Joint Petitioners respectfully request that the Commission reconsider and/or clarify its decision as set forth above, and stay implementation of its CAP shopping order pending consideration of the issues presented herein.

Respectfully submitted,

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