**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PECO Energy Company :

For Approval of its Default Service Program :

For the Period from June 1, 2021 through : P-2020-3019290

May 31, 2025 :

:

**ORDER GRANTING THE PETITION OF PECO ENERGY COMPANY FOR EXTENSION OF THE STATUTORY DEADLINE FOR DEFAULT SERVICE PROCEEDINGS**

By Emergency Order dated March 20, 2020, in response to the COVID-19 pandemic, the Pennsylvania Public Utility Commission (Commission) authorized the Chief Administrative Law Judge to establish reasonable deadlines under the circumstances after consideration of the positions of the parties and the presiding Administrative Law Judge (ALJ). *See*, *Emergency Order re Suspension of Regulatory and Statutory Deadlines, Modification to Filing and Service Requirements*, M-2020-3019262, at 2. Section 2807(e)(3.6) of the Public Utility Code provides that the Commission is to issue a final order on a default service plan within nine months of its filing or else the plan will be deemed approved. 66 Pa.C.S. § 2807(e)(3.6). On March 13, 2020, PECO Energy Company (PECO) filed a petition for approval of its fifth default service program (DSP V). Therefore, absent an extension of the statutory deadline, a Commission final order on DSP V would need to be issued by December 13, 2020.

On June 1, 2020, PECO filed a “Petition for Extension of the Statutory Deadline for Default Service Proceedings” (Petition), requesting that the statutory deadline be extended from December 13, 2020 to December 17, 2020. In support of its Petition, PECO references its proposed procedural schedule which was adopted by the ALJ and provides for the Commission’s entry of a final order at its December 17, 2020 Public Meeting. Petition at 3. PECO states that the procedural schedule takes into consideration the effects of COVID-19 related closures and

operational issues. Petition at 4. PECO notes that under the existing statutory deadline of December 13, 2020, DSP V would need to be addressed by the Commission at its December 3, 2020 Public Meeting, the one prior to December 17, 2020. Petition at 3. PECO states that by extending the statutory deadline by four days from December 13, 2020 to December 17, 2020, the parties, the ALJ, and the Commission will have the full nine-month period for consideration of DSP V. Petition at 3-4.

PECO states that it consulted with all the other parties and that there is no objection to its request for an extension of the statutory deadline. Petition at 4. The ALJ informed me that she supports PECO’s request for an extension of the statutory deadline.

After consideration of the positions of the parties and the ALJ, I find PECO’s request for a four-day extension of the statutory deadline to be reasonable under the circumstances. Therefore, I grant PECO’s Petition to extend the statutory deadline from December 13, 2020 to December 17, 2020.

Any party dissatisfied with this Order may, as set forth in 52 Pa. Code §§ 1.31 and 5.44, file a Petition for Reconsideration from Staff Action with the Commission within twenty (20) days from the date of service of this Order. The Petition shall be sent via email or e-filing only. Email should be addressed to [rchiavetta@pa.gov](mailto:rchiavetta@pa.gov). If no timely request is made, this Order will be deemed to be a final action of the Commission.

ORDER

THEREFORE,

IT IS ORDERED:

1. That PECO Energy Company’s Petition for Extension of the Statutory Deadline for Default Service Proceedings is granted.
2. That the statutory deadline at 66 Pa.C.S. § 2807(e)(3.6) is extended by four days from December 13, 2020 to December 17, 2020, in the Petition of PECO Energy Company for Approval of its Default Service Program from June 1, 2021 through May 31, 2025, Docket No. P-2020-3019290.
3. That any party dissatisfied with this Order may, as set forth in 52 Pa. Code §§ 1.31 and 5.44, file a Petition for Reconsideration from Staff Action with the Commission within twenty (20) days from the date of service of this Order. The Petition shall be sent via email or e-filing only. Email should be addressed to: [rchiavetta@pa.gov](mailto:rchiavetta@pa.gov). If no timely request is made, this Order will be deemed to be a final action of the Commission.

Date: June 2, 2020 /s/

Charles E. Rainey, Jr.

Chief Administrative Law Judge

**P-2020-3019290 - PETITION OF PECO ENERGY COMPANY FOR APPROVAL OF ITS DEFAULT SERVICE PLAN FOR THE PERIOD FROM JUNE 1, 2021 THROUGH MAY 31, 2025**

*Revised 05/19/20*

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The Honorable Eranda Vero

Administrative Law Judge

Pennsylvania Public Utility Commission

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