



McNees Wallace & Nurick LLC  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166

**Charis Mincavage**  
Direct Dial: 717.237.5437  
Direct Fax: 717.260.1725  
cmincavage@mcneeslaw.com

February 21, 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 Petition to Intervene 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).

### VIA E-MAIL

Brandon J. Pierce, Esq.  
PECO Energy Company  
2301 Market Street S23-1  
Philadelphia, PA 19103  
[brandon.pierce@exeloncorp.com](mailto:brandon.pierce@exeloncorp.com)

NazAarah Sabree  
Small Business Advocate  
Commonwealth of Pennsylvania  
Office of Small Business Advocate  
Forum Place  
555 Walnut Street, 1st Floor  
Harrisburg, PA 17101  
[ra-sba@pa.gov](mailto:ra-sba@pa.gov)

Office of Consumer Advocate  
555 Walnut Street  
Forum Place, 5th Floor  
Harrisburg, PA 17101  
[ra-oca@paoca.org](mailto:ra-oca@paoca.org)

Richard A. Kanaskie, Esq.  
Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor West  
Harrisburg, PA 17120  
[rkanaskie@pa.gov](mailto:rkanaskie@pa.gov)

Robert W. Ballenger  
Joline R. Price  
Community Legal Services  
1424 Chestnut Street  
Philadelphia, PA 19102  
[rballenger@clsphila.org](mailto:rballenger@clsphila.org)  
[jprice@clsphila.org](mailto:jprice@clsphila.org)  
*Counsel for the Tenant Union  
Representative Network and Action Alliance*

Gregory L. Peterson  
Phillips Lytle LLP  
201 West Third Street, Suite 205  
Jamestown, NY 14701-4907  
[gpeterson@phillipslytle.com](mailto:gpeterson@phillipslytle.com)  
*Counsel for StateWise Energy Pennsylvania  
LLC and SFE Energy Pennsylvania, Inc.*

Elizabeth R. Marx  
John Sweet  
Ria Pereira  
Pennsylvania Utility Law Project  
118 Locust Street  
Harrisburg, PA 17101  
[emarx@pautilitylawproject.org](mailto:emarx@pautilitylawproject.org)  
[jsweet@pautilitylawproject.org](mailto:jsweet@pautilitylawproject.org)  
[rpereira@pautilitylawproject.org](mailto:rpereira@pautilitylawproject.org)  
*Counsel for the Coalition for Affordable  
Utility Service and Energy Efficiency in  
Pennsylvania*

John F. Lushis, Jr.  
Norris McLaughlin, P.A.  
515 West Hamilton Street – Suite 502  
Allentown, PA 18101  
[jlushis@norris-law.com](mailto:jlushis@norris-law.com)  
*Counsel for Calpine Retail Holdings, LLC*

Thomas F. Puchner  
Phillips Lytle LLP  
30 South Pearl Street  
Albany, NY 12207-1537  
[tpuchner@phillipslytle.com](mailto:tpuchner@phillipslytle.com)  
*Counsel for StateWise Energy Pennsylvania  
LLC and SFE Energy Pennsylvania, Inc.*

Karen O. Moury  
Deanne M. O'Dell  
Eckert Seamans Cherin & Mellott, LLC  
213 Market Street, 8th Floor  
Harrisburg, PA 17101  
[kmoury@eckertseamans.com](mailto:kmoury@eckertseamans.com)  
[dodell@eckertseamans.com](mailto:dodell@eckertseamans.com)  
*Counsel for Electric Supplier Coalition and  
the Retail Energy Supply Association*

Certificate of Service  
Docket No. P-2024-3046008  
Page 2

Joseph Otis Minott  
Ernest Logan Welde  
Clean Air Council  
135 South 19th Street, Suite 300  
Philadelphia, PA 19103  
[joe\\_minott@cleanair.org](mailto:joe_minott@cleanair.org)  
[lwelde@cleanair.org](mailto:lwelde@cleanair.org)  
*Counsel for Environmental Stakeholders*

Devin McDougall  
Rebecca Barker  
Clean Energy Program  
Philadelphia Office  
1617 John F. Kennedy Blvd., Suite 2020  
Philadelphia, PA 19103  
[dmcgougall@earthjustice.org](mailto:dmcgougall@earthjustice.org)  
[rbarker@earthjustice.org](mailto:rbarker@earthjustice.org)  
*Counsel for Environmental Stakeholders*



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Charis Mincavage

Counsel to the Philadelphia Area Industrial  
Energy Users Group

Dated this 21<sup>st</sup> day of February, 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	:	

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**PETITION TO INTERVENE OF  
THE PHILADELPHIA AREA INDUSTRIAL ENERGY USERS GROUP**

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Pursuant to Sections 5.71 through 5.74 of the Pennsylvania Public Utility Commission's ("PUC" or "Commission") Regulations, 52 Pa. Code §§ 5.71 – 5.74, the Philadelphia Area Industrial Energy Users Group ("PAIEUG") hereby files this Petition to Intervene in the above-captioned proceeding.

PECO Energy Company ("PECO" or "Company") has petitioned the Commission for approval of the Company's sixth Default Service Program ("DSP VI"). PECO's Petition for Approval of DSP VI ("Petition") outlines 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.<sup>1</sup> The Company's filing proposes to continue the existing products and programs approved under PECO's DSP V.<sup>2</sup>

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<sup>1</sup> *Petition of PECO Energy Co. for Approval of its Default Serv. Plan for the Period from June 1, 2025 through May 31, 2029*, Docket No. P-2024-3046008, at 1.

<sup>2</sup> *Id.* at 2.

The proposed DSP VI would apply to all retail customers in PECO's service territory. PECO is proposing no change to the procurement classes or procurement strategy used in its prior default service programs.<sup>3</sup>

For Large Commercial and Industrial ("C&I") customers, PECO proposes to continue to procure all default service supply through hourly-priced full requirements contracts as in DSP V.<sup>4</sup> The Company is also proposing to maintain a quarterly default service rate filing schedule for the Consolidated Large C&I class, with semi-annual reconciliation of the over/under collection component of the Generation Supply Adjustment ("GSA") as previously approved in DSP V.<sup>5</sup>

PECO is proposing to continue to collect certain PJM Interconnection, L.L.C. ("PJM") transmission-related charges through its Non-Bypassable Transmission Charge ("NBT"), with PECO continuing to be responsible for Network Integration Transmission Service ("NITS") and Non-Firm-Point-to-Point Transmission costs through its unbundled, bypassable Transmission Service Charge ("TSC").<sup>6</sup>

In support of its Petition to Intervene, PAIEUG asserts the following:

1. PAIEUG is an *ad hoc* group of energy-intensive customers receiving electric service from PECO under Rate HT. PAIEUG members use substantial volumes of electricity in their manufacturing and operational processes, and these electric costs are a significant element of their respective costs of operation. Any modification to PECO's electric rates may impact PAIEUG members' cost of operations.

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<sup>3</sup> *Id.* at 7-8.

<sup>4</sup> *Id.* at 9.

<sup>5</sup> *Id.* at 24.

<sup>6</sup> *Id.* at 9-10.

2. The names and address of PAIEUG's attorneys are:

Charis Mincavage (I.D. No. 82039)  
Adeolu A. Bakare (I.D. No. 208541)  
McNEES WALLACE & NURICK LLC  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166  
Phone: (717) 232-8000  
Fax: (717) 237-5300  
[cmincavage@mcnesslaw.com](mailto:cmincavage@mcnesslaw.com)  
[abakare@mcneeslaw.com](mailto:abakare@mcneeslaw.com)

3. For purposes of this proceeding, PAIEUG includes the members listed in Attachment A hereto. PAIEUG will update Attachment A during the course of this proceeding to reflect any changes in its membership, as necessary.

4. PAIEUG members are concerned with issues regarding the terms and conditions of their electricity service and are monitoring PECO's proposed DSP VI. The Commission's final disposition of this proceeding will directly affect the rates applicable to PAIEUG members for default service. 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 filings and their consequences for Large C&I customers.

5. PAIEUG members thus have an interest in this proceeding that is not represented by any other party of record; consequently, PAIEUG satisfies the standards for intervention under Section 5.72 of the Commission's Regulations, 52 Pa. Code § 5.72.

**WHEREFORE**, the Philadelphia Area Industrial Energy Users Group respectfully requests that the Pennsylvania Public Utility Commission grant this Petition to Intervene, providing PAIEUG with full-party status in this proceeding, as well as any other relief as it deems necessary.

Respectfully submitted,

McNEES WALLACE & NURICK LLC

By 

Charis Mincavage (Pa. I.D. 82039)

Adeolu A. Bakare (Pa. I.D. 208541)

100 Pine Street

P.O. Box 1166

Harrisburg, PA 17108-1166

Phone: (717) 232-8000

Fax: (717) 237-5300

[cmincavage@mcneeslaw.com](mailto:cmincavage@mcneeslaw.com)

[abakare@mcneeslaw.com](mailto:abakare@mcneeslaw.com)

Counsel to the Philadelphia Area Industrial  
Energy Users Group

Dated: February 21, 2024

**AFFIDAVIT**

COMMONWEALTH OF PENNSYLVANIA         )  
    )  
 COUNTY OF DAUPHIN                             )            SS:

Charis Mincavage, being duly sworn according to law, deposes and says that she is Counsel to the Philadelphia Area Industrial Energy Users Group, and that in this capacity she is authorized to and does make this affidavit for them, and that the facts set forth in the foregoing Petition to Intervene are true and correct to the best of her knowledge, information, and belief.

*Charis Mincavage*

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Charis Mincavage

Date: February 21, 2024



**ATTACHMENT A**

**PHILADELPHIA AREA INDUSTRIAL ENERGY USERS GROUP**

Airgas USA, LLC, an Air Liquide Company  
The Boeing Company  
Cleveland-Cliffs  
Drexel University  
GlaxoSmithKline  
Kimberly-Clark Corporation  
Main Line Health  
Merck & Co., Inc.  
Philadelphia College of Osteopathic Medicine  
Saint Joseph's University  
Swarthmore College  
Temple University  
Thomas Jefferson University  
Villanova University