

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PECO Energy Company for	:	
Approval of Its Default Service Program for	:	P-2024-3046008
the Period From June 1, 2025, Through	:	
May 31, 2029	:	

PREHEARING ORDER #2

On February 2, 2024, PECO Energy Company (“PECO”) filed a Petition requesting that the Commission approve its sixth Default Service Program in accordance with its responsibilities as the default service provider for its certificated service territory for the period from June 1, 2025, through May 31, 2029, following the expiration of its current default service program.

Notice of PECO’s Petition and Prehearing Conference was published in the *Pennsylvania Bulletin* on February 17, 2024, 54 Pa.B. 881. A deadline of March 4, 2024, was established for the filing of formal protests, petitions to intervene and answers. The prehearing conference was set for March 8, 2024.

The prehearing conference was held as scheduled. This order memorializes certain procedural matters addressed at the prehearing conference.

THEREFORE,

IT IS ORDERED:

1. The Petition to Intervene filed by Philadelphia Area Industrial Energy Users Group (“PAIEUG”) on February 21, 2024, is granted.

2. The Petition to Intervene filed by Calpine Retail Holdings, LLC (“Calpine”) on March 1, 2024, is granted.
3. The Petition to Intervene filed by NRG Energy, Inc. (“NRG”) on March 4, 2024, is granted.
4. The Petition to Intervene filed by Retail Energy Supply Association (“RESA”) on March 4, 2024, is granted.
5. The Petition to Intervene filed by POWER Interfaith, Vote Solar, Clean Air Council, Sierra Club, Physicians for Social Responsibility Pennsylvania, and PennEnvironment (collectively, the “Energy Justice Advocates”) on March 4, 2024, is granted.
6. The Petition to Intervene filed by the Tenant Union Representative Network (“TURN”) and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (“CAUSE-PA”) on March 4, 2024, is granted.
7. The Petition to Intervene filed by Constellation NewEnergy, Inc. and Constellation Energy Generation, LLC (together, “Constellation”) on March 4, 2024, is granted.
8. Alexander Judd, Esquire and Sophia Browning, Esquire are admitted *pro hac vice* as co-counsel to Constellation.
9. Elizabeth J. Sher, Esquire shall continue to be responsible as counsel of record for the conduct of this matter on behalf of Constellation.
10. The parties of record as of this date are PECO, Office of Consumer Advocate (“OCA”), Office of Small Business Advocate (“OSBA”), PAIEUG, Calpine, NRG, RESA, Energy Justice Advocates, TURN and CAUSE-PA, and Constellation.
11. The following litigation schedule is adopted:

Public Input Hearing(s)	April 16, 2024 (telephonic) at 6:00 pm and April 18, 2024 (in-person) at 1:00 pm
Non-Company Direct Testimony	April 25, 2024
Rebuttal Testimony	May 15, 2024
Surrebuttal Testimony	May 29, 2024
Oral Rejoinder & Hearings	June 4 & 5, 2024
Main Brief	June 21, 2024
Reply Brief	July 9, 2024
Public Meeting Date	October 10, 2024

12. Answers to written interrogatories are to be served in-hand within ten (10) calendar days of service of the interrogatories.

13. Objections to interrogatories are to be communicated orally within three (3) days of service; unresolved objections are to be served on the Administrative Law Judges in writing within five (5) days after oral objections to interrogatories are due.

14. Motions to dismiss objections and/or direct the answering of interrogatories are to be filed within three (3) calendar days of service of written objections.

15. Answers to motions to dismiss objections and/or directing the answering of interrogatories shall be filed within three (3) calendar days of service of such motions.

16. Responses to requests for documents production, entry for inspection, or other purposes are to be served in-hand within ten (10) calendar days of service.

17. Requests for admission are deemed admitted unless answered within ten (10) calendar days or objected to within five (5) calendar days of service.

18. Discovery requests served after 4:30 p.m. Monday through Thursday or after 12:00 p.m. on a Friday or the day preceding a holiday shall be deemed to have been served on the next business day.

19. Interrogatories, requests for production and requests for admissions that are objected to, but which are not made the subject of a motion to compel will be deemed withdrawn.

20. Pursuant to 52 Pa. Code §5.341(b), neither discovery requests nor responses thereto are to be served on the Commission or the Administrative Law Judges, although a certificate of service may be filed with the Commission's Secretary.

21. Discovery requests, motions to compel and responses are to be served electronically and will only be served on paper upon request.

Dated: April 2, 2024

/s/
Eranda Vero
Administrative Law Judge

/s/
Arlene Ashton
Administrative Law Judge

**P-2024-3046008 - PETITION OF PECO ENERGY COMPANY
FOR APPROVAL OF IT'S DEFAULT SERVICE PROGRAM FOR THE PERIOD OF
JUNE 1, 2025, THROUGH MAY 31, 2029**

Revised 3.15.2024

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