

Deanne M. O'Dell
717.255.3744
dodell@eckertseamans.com

January 4, 2010

Via Electronic Filing

James McNulty, Secretary
PA Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265

Re: Petition of PECO Energy Company for Approval of its Revised Electric Purchase of
Receivables Program, Docket No. P-2009-2143607

Dear Secretary McNulty:

On behalf of the Retail Energy Supply Association ("RESA") enclosed please find the original Prehearing Memo along with the electronic filing confirmation page with regard to the above-referenced matter. Copies have been served in accordance with the attached Certificate of Service.

Sincerely yours,



Deanne M. O'Dell, Esq.

DMO/lww
Enclosure

cc: Cert. of Service w/enc.

CERTIFICATE OF SERVICE

I hereby certify that this day I served a copy of RESA's Prehearing Memo upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

Via Email and/or First Class Mail

Hon. Cynthia Fordham
Administrative Law Judge
Pa Public Utility Commission
801 Market St., Suite 4063
Philadelphia, PA 19107
cfordham@state.pa.us

David M. Kleppinger, Esq.
Charis Mincavage, Esq.
Barry A. Naum, Esq.
McNees Wallace & Nurick LLC
100 Pine Street
PO Box 1166
Harrisburg, PA 17108-1166
dkleppinger@mwn.com
cmincavage@mwn.com
bnaum@mwn.com

Thomas P. Gadsden, Esq.
Kenneth M. Kulak, Esq.
Catherine G. Vasudevan, Esq.
Morgan Lewis & Bockius, LLP
1701 Market St.
Philadelphia, PA 19103-2921
tgadsden@morganlewis.com
kkulak@morganlewis.com
cvasudevan@morganlewis.com

Tanya McCloskey, Esq.
Barrett Sheridan, Esq.
Office of Consumer Advocate
555 Walnut St., 5th Floor
Harrisburg, PA 17101-1923
tmccloskey@paoca.org
bsheridan@paoca.org

Daniel G. Asmus, Esq.
Office of Small Business Advocate
Suite 1102, Commerce Building
300 North Second St.
Harrisburg, PA 17101
dasmus@state.pa.us

Johnnie E. Simms, Esq.
Office of Trial Staff
Pa Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265
josimms@state.pa.us

Romulo L. Diaz, Jr., Esq.
Anthony E. Gay, Esq.
Exelon Business Services Company
2301 Market St.
Philadelphia, PA 19101
Romulo.diaz@exeloncorp.com
Anthony.gay@exeloncorp.com

Richard G. Webster, Jr.
PECO Energy Company
2301 Market St., S-15
Philadelphia, PA 19103
Dick.webster@exeloncorp.com

Todd S. Stewart, Esq.
Hawke McKeon & Sniscak, LLP
Harrisburg Energy Center
PO Box 1778
Harrisburg, PA 17105-1778
Tsstewart@hmslegal.com

Christopher A. Lewis, Esq.
Christopher R. Sharp, Esq.
Blank Rome, LLP
One Logan Square
Philadelphia, PA 19103-6998
lewis@blankrome.com
sharp.@blankrome.com

J. Barry Davis, Esq.
Law Dept.
City of Philadelphia
1515 Arch St., 16th Floor
Philadelphia, PA 19102

Paul F. Mapelli, Esq.
Consolidated Edison Solutions, Inc.
701 Westchester Ave. - #300 East
White Plains, NY 10604

Brian R. Greene, Esq.
SeltzerGreene, PLC
707 East Main Street - #1025
Richmond, VA 23219

Thu B. Tran, Esq.
Philip A. Bertocci, Esq.
Jonathan M. Stein, Esq.
Community Legal Services, Inc.
1424 Chestnut Street
Philadelphia, PA 19102

PPL EnergyPlus, LLC
PO Box 25225
Lehigh Valley, PA 18002

Gary A. Jeffries, Esq.
Dominion Retail, Inc.
501 Martindale Street - #400
Pittsburgh, PA 15212-5817

Divesh Gupta, Esq.
Constellation Energy Resources, LLC
111 Market Place - #500
Baltimore, MD 21202

Thomas T. Niesen, Esq.

Charles E. Thomas, III, Esq.
Norman J. Kennard, Esq.
Thomas Long Niesen & Kennard
PO Box 9500
Harrisburg, PA 17108-9500

Commerce Energy, Inc.
600 Anton Blvd., #2000
Costa Mesa, CA 92626

Constellation NewEnergy, Inc.
100 Constelation Way - #1200C
Baltimore, MD 21202

OnDemand Energy Solutions
300 Corporate Drive - #130
PO Box 869
Moon Township, PA 15108

Select Energy, Inc.
107 Selden Street
Berlin, CT 06037

Community Energy, Inc.
150 Strafford Ave., # 110
Wayne, PA 19087

Affiliated Power Purchasers, Inc.
224 Phillip Morris Drive - # 402
Salisbury, MD 21804

Allegheny Energy Supply Co., LLC
800 Cabin Hill Drive
Greensburg, PA 15601

Dominion Retail, Inc.
P.O. Box 298
Pittsburgh, PA 15230-0298

FirstEnergy Solutions
341 White Pond Drive - #B3
Akron, OH 44320

Pepco Energy Service
1300 North 17th Street - #1600
Arlington, VA 22209

Taylor Consulting and Contracting, LLC
625 Main Street
Avoca, PA 18641

Champion Energy Services, LLC
13831 N.W. Freeway - #250
Houston, TX 77040

The Energy Cooperative Association of PA
1218 Chestnut Street - #1003
Philadelphia, PA 19107

UGI Energy Services, Inc.
1 Meridian Blvd. - # 2C01
Wyomissing PA 19610

Reliant Energy Solutions, LLC
121 Champion Way - #200
Canonsburg, PA 15317

Sempra Energy Solutions, LLC
401 West A Street - # 500
San Diego, CA 92101

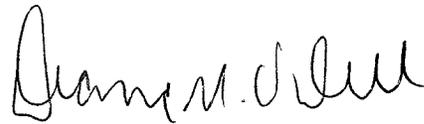
Richards Energy Group
3901 Nolt Road – Bldg. 1
Landisville, PA 17538

GDF SUEZ Energy Resources NA, Inc.
1990 Post Oak Blvd. - #1900
Houston, TX 77056

Usource, LLC
348 Indian Ridge Drive
Moon Township, PA 15108

Exelon Energy Company
300 Exelon Way
Kennett Square, PA 19348

Hess Corporation
One Hess Plaza
Woodbridge, NJ 07095



Deanne M. O'Dell, Esq.

Dated: January 4, 2010

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PECO Energy Company for :
Approval of its Revised Electric Purchase : Docket No. P-2009-2143607
of Receivables Program :

**PREHEARING MEMORANDUM OF
THE RETAIL ENERGY SUPPLY ASSOCIATION (“RESA”)**

Pursuant to 52 Pa. Code §§ 5.71-5.75 and the December 18, 2009 Prehearing Order, the Retail Energy Supply Association (“RESA”)¹ submits this Prehearing Conference Memorandum in the above-captioned proceeding.

I. Representation

RESA will be represented by the following counsel in this matter:

Daniel Clearfield, Esquire
Deanne M. O’Dell, Esquire
Eckert Seamans Cherin & Mellott, LLC
213 Market Street, 8th Floor
P.O. Box 1248
Harrisburg, PA 17108-1248
Phone: (717) 237-7160
Fax: (717) 237-6019
dclearfield@eckertseamans.com
dodell@eckertseamans.com

II. History of the Proceeding and Presently Identified Issues

On November 20, 2009, PECO filed its Petition in support its request that the Commission approve its proposed POR program to be effective January 1, 2011. By Prehearing Order dated December 18, 2009, a prehearing conference is scheduled for January 5, 2010 and parties were directed to submit a prehearing memorandum by January 4, 2010.

¹ RESA’s members include ConEd Solutions; Direct Energy Services, LLC; Exelon Energy Company; GDF SUEZ Energy Resources NA, Inc.; Gexa Energy; Green Mountain Energy Company; Hess Corporation; Integrys Energy Services, Inc.; Just Energy; Liberty Power; RRI Energy; Sempra Energy Solutions LLC. The comments expressed in this filing represent the position of RESA as an organization but may not represent the views of any particular member of RESA.

The POR program is being proposed in accordance with the Commission-approved settlement of PECO's default service program for the provision of electric service after December 31, 2010. RESA was a party in that proceeding, a signatory of the settlement agreement and a participant in PECO's subsequent stakeholder meetings with interested parties regarding POR.

PECO's proposed POR program contains important program elements that must be included in a properly structured POR program so that it effectively assists in the development of a robust competitive retail market. Specifically, PECO's proposed program (a) is available to all customers, with no minimum stay provisions; (b) permits PECO to terminate for non-payment of EGS charges (same basis of EDC charges); (c) eliminate 90 day revert to separate billing; (d) permits EGSs to simultaneously use dual billing for other non POR customers; (e) permits receivables associated with basic electricity supply services eligible for POR including renewable energy or alternative energy credits procured by an EGS and associated with the delivered energy; (f) maintains the current POR payments schedule and format (20 days for commercial customers and 25 days for residential customers); (g) proposes a "zero discount" steady state POR program with an initial recovery rate of 0.2% of POR payment to EGSs, then discount is zero; and, (g) proposes recovery of uncollectible accounts expense associated with generation service in distribution base rates, or in an unbundled nonbypassable, non-reconcilable default service support rider that would be presented at the time of PECO's next base rate case. RESA supports these program features and is prepared to offer testimony as needed to explain the importance of each feature from a competitive standpoint.

III. Proposed Witnesses and Subject Matter of Testimony

At this time, RESA expects to present the testimony of the following witness:

Richard J. Hudson Jr.
Director Regulatory & Legislative Affairs
ConEdison Solutions
Pennsylvania State Chairman, RESA

The purpose of Mr. Hudson's testimony will be to address the issues identified above.

RESA reserves the right to amend this witness list as may be necessary depending on the course of the proceeding and will provide the Presiding Officer as well as the other parties in this matter reasonable notice if such amendment becomes necessary.

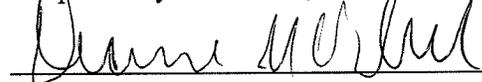
IV. Procedural Schedule

PECO has sought expedited treatment of its Petition so that a final Commission Order would be entered at the end of March 2010 giving PECO nine months to implement the program. RESA fully supports this request because certainty from the Commission will enable the industry to adequately plan and prepare for the expiration of PECO's generation rate caps on January 1, 2011. RESA will work with the parties to implement a procedural schedule that enables timely resolution of this petition.

V. Discovery and Settlement

RESA will cooperate with the other parties to facilitate both discovery and settlement.

Respectfully submitted,



Deanne M. O'Dell
Eckert Seamans Cherin & Mellott, LLC
213 Market Street, 8th Floor
P.O. Box 1248
Harrisburg, PA 17108-1248

Counsel for the Retail Energy Supply
Association

Dated: January 4, 2010