**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**HARRISBURG, PENNSYLVANIA 17105**

**PETITION OF PECO ENERGY Public Meeting April 22, 2010**

**COMPANY FOR APPROVAL 2123944-OSA**

**OF SMART METER TECHNOLOGY Docket No. M-2009-2123944**

**PROCUREMENT AND**

**INSTALLATION PLAN**

**MOTION OF**

**COMMISSIONER ROBERT F. POWELSON**

 Before us today is the Initial Decision of Administrative Law Judge Marlane Chestnut approving PECO Energy Company’s (“PECO” or “Company”) smart meter plan, as amended by a Joint Petition for Partial Settlement.

I applaud all the parties involved for reaching a consensus on the vast majority of the issues raised, and I believe the settled issues should be approved, with two modifications.

The parties agreed to use a rate of return on equity of 10.5%, to be updated following the Company’s next rate case. While we approve this approach, in the case of more than three years passing between rate cases, the rate of return on equity should be updated using the barometer group included in the Quarterly Earnings Report issued by the Commission’s Bureau of Fixed Utility Services, until a subsequent litigated base rate case ROE is determined, to be effective for such subsequent three year period.

Embedded in PECO’s plan was a commitment to provide consumption data and other customer information to third parties via established Electronic Data Interchange (EDI) protocols and data transfer methods described in the Implementation Order.[[1]](#footnote-1) Pursuant to our Implementation Order, EDCs were strongly encouraged to implement a new historical interval usage transaction in order to provide customers and their designated agents with 12 months of interval usage data.[[2]](#footnote-2) Under the Joint Petition for partial settlement PECO committed to provide direct access to licensed electric generation suppliers or other third parties authorized by the Commission, *by means of EDI transactions*, of the data currently available from its existing AMR system and any additional Advanced Read Services it is able to provide.[[3]](#footnote-3)

 I commend PECO for their commitment to use EDI protocols to provide consumption and other information to third parties. Neither the record nor the settlement, however, addresses how or when the Company plans on implementing these transactions. Other utilities throughout the Commonwealth have or will be soon implementing historical interval usage (HIU) transaction capabilities, and I believe it would be prudent to seek comments from the Company and other interested parties on whether PECO should adopt these protocols, and if so, how and when they should be implemented.

Therefore, the Commission wishes to solicit comments on the appropriateness of requiring PECO to implement the EDI HIU protocols. Interested parties are encouraged to comment on the adequacy and timeliness of PECO’s current interval usage data processes, so as to assist the Commission in its decision. As I believe that if we do require the Company to make these changes, it should be done in an expedient manner, Comments should be received so that the Commission can address these issues at its May 20, 2010 Public Meeting.

**THEREFORE, I MOVE THAT** the office of Special Assistants shall prepare an Opinion and Order consistent with this Motion.

**DATED: April 22, 2010** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **Robert F. Powelson**

 **Commissioner**

1. PECO Energy Company, Statement No. 2, p. 14, lines 6-9. [↑](#footnote-ref-1)
2. Implementation Order at 25. [↑](#footnote-ref-2)
3. ID at 16. [↑](#footnote-ref-3)