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June 7, 2010

**By eFiling**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Re: Pennsylvania Public Utility Commission v. PECO Energy Company – Electric Division,  
Docket No. R-2010-2161575

Dear Secretary McNulty:

Enclosed for eFiling please find the **Prehearing Memorandum of Tenant Union Representative Network and Action Alliance of Senior Citizens of Greater Philadelphia** (collectively “TURN et al.”) in the above-captioned matter. Copies of the enclosed have been served upon the Administrative Law Judges and other parties on the Service List.

Sincerely,

*/s/ Thu Tran* \_\_\_\_\_

Thu B. Tran, Esquire  
Philip A. Bertocci, Esquire  
Jonathan M. Stein, Esquire  
George D. Gould, Esquire

Attorneys for TURN, et al.

Enclosure

cc: Administrative Law Judge Marlane R. Chestnut  
Administrative Law Judge Christopher Pell  
Service List

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Pennsylvania Public Utility Commission** :  
: **R-2010-2161575**  
v. :  
: **PECO Energy Company – Electric Division** :

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served copies of the **Prehearing Memorandum of Tenant Union Representative Network and Action Alliance of Senior Citizens of Greater Philadelphia**, as set forth below in accordance with the requirements of 52 Pa. Code § 1.54:

**VIA E-MAIL and FIRST-CLASS MAIL**

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Respectfully submitted,

/s/ Thu Tran

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June 7, 2010

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>Pennsylvania Public Utility Commission</b>	:	
	:	
<b>v.</b>	:	<b>R-2010-2161575</b>
	:	
<b>PECO Energy Company – Electric Division</b>	:	

**Prehearing Memorandum of Tenant Union Representative Network and  
Action Alliance of Senior Citizens of Greater Philadelphia**

The Tenant Union Representative Network (“TURN”) and Action Alliance of Senior Citizens of Greater Philadelphia (collectively “TURN et al.”), through counsel Community Legal Services, Inc., hereby submit this Prehearing Memorandum in the above-captioned proceeding, pursuant to the Prehearing Conference Order of May 21, 2010, stating as follows:

1. History of the Proceeding.

On March 31, 2010, PECO filed the above-captioned request for an increase in its electric base rates. On May 14, 2010, TURN et al. filed a Formal Complaint in this proceeding.

2. Issues to be Presented.

PECO has requested an overall rate increase of \$316 million per year. According to PECO, if the entire request is approved, the total monthly bill for a residential customer using 500 kWh would increase by \$8.27 from \$81.53 to \$89.80 or by 10.1%. This proposed increase does not yet factor in the additional generation charge increases that customers will be at risk of

facing starting in January 2011. The proposed base rate increase would impose severe hardship on low and moderate income residential customers and consumers.

In addition to complying with sound rate making principles, PECO must also ensure that its rates and tariff comply with universal service requirements. Electricity Generation Customer Choice and Competition Act, 66 Pa. C.S. §§ 2801-2812. The Commission must ensure that universal service programs assist low-income customers to afford electric service, and that these programs are appropriately funded and available in each electric distribution territory. 66 Pa. C.S. § 2804(9).

The Complainants, TURN et al., were parties in prior Commission proceedings involving PECO, including, but not limited to, the following:

- a. Petition of PECO Energy Company for Approval of its Act 129 Energy Efficiency and Conservation Plan and Expedited Approval of its Compact Fluorescent Lamp Program, Docket No. M-2009-2093215;
- b. Petition of PECO Energy Company for Approval of its Default Service Program and Rate Mitigation Plan, Docket No. P-2008-2062739;
- c. Petition of PECO Energy Company for Approval of its Market Rate Transition Energy Efficient Package, Docket No. P-2008-2062740;
- d. Petition of PECO Energy Company for Approval of its Market Rate Transition Phase-In Program, Docket No. P-2008-2062741; and
- e. In the Matter of PECO Energy Company Universal Services Three-Year Plan 2007-2009 Submitted in Compliance with 52 Pa. Code § 54.74, Docket No. M-00061945.

These proceedings involved settlement provisions relating to PECO's low income programs.

The Commission should not approve PECO's rate request unless PECO agrees to perform such actions as are necessary to assure compliance with applicable sections of the Public Utility Code, Commission regulations, guidelines and settlement agreements.

TURN et al. reserve the right to raise other issues as additional information becomes available in the course of the proceeding.

3. Witnesses and Testimony.

TURN et al. intend to present the testimony of Harry S. Geller, in the areas of Universal Service and the impact on low and lower income customers of PECO's proposed rate request. TURN et al. will submit Mr. Geller's direct, rebuttal and surrebuttal testimony, as may be appropriate. Mr. Geller's contact information is as follows:

Harry S. Geller, Esq.  
Executive Director  
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118 Locust Street  
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4. Proposed Schedule and Discovery.

TURN et al. have been in discussions with the parties regarding a proposed schedule and discovery rules modifications. TURN et al. request that two public input hearings be held in Philadelphia, one scheduled in the morning and one scheduled in the evening.

5. Settlement.

TURN et al. are willing to participate in settlement negotiations concerning all issues raised by this case.

6. Service on TURN et al.

TURN et al. will be represented in this case by Thu B. Tran, Esquire, Philip A. Bertocci, Esquire, Jonathan M. Stein, Esquire, and George D. Gould, Esquire. One hard copy of all documents should be served on TURN et al. as follows:

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June 7, 2010