

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

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IRWINA. POPOWSKY
Consumer Advocate

June 24, 2010

Rosemary Chiavetta
Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

RE: PECO Energy Company Universal Service
and Energy Conservation Plan for 2010-
2012 Submitted in Compliance with 52 Pa.
Code Sections 54.74 and 62.4
Docket No. M-2009-2094394

Dear Secretary Chiavetta:

Enclosed for filing are the Comments of the Office of Consumer Advocate, in the
above-referenced proceeding.

Should you have any questions, please contact me at the number above.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Christy M. Appleby".

Christy M. Appleby
Assistant Consumer Advocate
PA Attorney I.D. # 85824

Enclosure

cc: Grace McGovern, BCS (via electronic service only)
Cyndi Page, Office of Communications (via electronic service only)

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BEFORE THE
PENNSYLVANIA OFFICE OF CONSUMER ADVOCATE

PECO Energy Company Universal Service :
and Energy Conservation Plan for : Docket No. M-2009-2094394
2010-2012 Submitted in Compliance with :
52 Pa. Code Sections 54.74 and 62.4 :

COMMENTS OF THE
OFFICE OF CONSUMER ADVOCATE

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Dated: June 24, 2010

I. INTRODUCTION

The Office of Consumer Advocate (OCA) appreciates this opportunity to provide comments on the May 10, 2010 Tentative Order regarding PECO Energy Company's (PECO) Universal Service and Energy Conservation Plan for 2010-2012 Submitted in Compliance with 52 Pa. Code §§ 54.74 and 62.4.

On March 9, 2009, PECO filed its initial version of the Universal Service and Energy Conservation Plan (Plan) for the 2010-2012 period. On March 10, 2009, in PECO's Petition of PECO Energy Company for Approval of its Default Service Program and Rate Mitigation Program (DSP) proceeding at Docket No. P-2008-2062739, PECO and the other parties to the proceeding, including the OCA, filed a Joint Petition for Settlement (DSP Settlement). The DSP Settlement included several changes to PECO's Universal Service and Energy Conservation Plan. Thereafter, on December 15, 2009, PECO filed a revised Plan which reflected the changes made to the universal service program in the DSP Settlement and applied the changes to both PECO's electric and gas universal service programs. The Tentative Order approves the revised Universal Service and Energy Conservation Plan for 2010-2012 as consistent with Title 66 of the Pennsylvania Consolidated Statutes, Title 52 of the Pennsylvania Code and Commission practice. Tentative Order at 13.

The Tentative Order provides for Comments to be filed within forty-five days of the entry of the Order, or by June 24, 2010. The OCA submits the following Comments in response.

II. COMMENTS

PECO's revised Universal Service and Energy Conservation Plan incorporated the DSP Settlement changes and applied the changes to both PECO's electric and gas universal service programs. These changes created a seven-tier CAP Rate discount design; adopted a usage

tracking requirement; applied the Matching Energy Assistance Fund (MEAF) grants to both the electric and gas service to allow for a \$500 grant each for electric and gas service; and increased the projected enrollment levels for the programs. At this time, the OCA does not have any additional comments with respect to the modifications made to PECO's electric and gas universal service programs pursuant to the DSP Settlement.

The OCA would note, however, that PECO currently has two on-going base rate proceedings for its electric and gas divisions at Docket Nos. R-2010-21615875 and R-2010-2161575, respectively. The Tentative Order provides that additional changes to PECO's universal service programs, including program design changes and enrollment levels, may be made in the context of a base rate proceeding. Tentative Order at 11, 13. Specifically, the Tentative Order states that:

Finally, Commission approval of this Plan does not limit the Commission's authority to order future changes to the Plan based on evaluation findings, universal service data or rate-making considerations.

Tentative Order at 13.

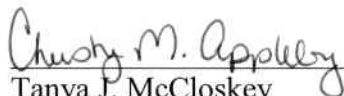
As a part of each of these base rate proceedings, the OCA is reviewing the Company's respective electric and gas universal service programs and is analyzing whether further recommendations regarding the programs are necessary. The OCA anticipates that it will file expert testimony on these issues pursuant to the procedural schedule.

While the OCA does not have any comments with respect to the way that PECO has incorporated the terms of the DSP Settlement into its revised Universal Service and Energy Conservation Plan, the OCA specifically reserves its right to propose changes to PECO's gas and electric universal service programs in the context of PECO's on-going electric and gas base rate proceedings based on its on-going analysis of the programs in the base rate proceedings.

III. CONCLUSION

The Office of Consumer Advocate appreciates this opportunity to provide further comments on PECO Energy Company's revised Universal Service and Energy Conservation Plan for 2010-2012. The OCA does not have any additional comments at this time, but reserves the right to raise any additional issues regarding PECO's universal service programs in its forthcoming testimony in the PECO Energy Company- Electric Division base rate proceeding at Docket No. R-2010-2161575 and the PECO Energy Company-Gas Division base rate proceeding at Docket No. R-2010-2161592.

Respectfully Submitted,


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Dated: June 24, 2010
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CERTIFICATE OF SERVICE

Re: PECO Energy Company Universal Service and Energy Conservation Plan for 2010-2012
Submitted in Compliance with 52 Pa. Code Sections 54.74 and 62.4
Docket No. M-2009-2094394

I hereby certify that I have this day served a true copy of the foregoing document, the Office of Consumer Advocate's Comments, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 24th day of June, 2010.

SERVICE BY E-MAIL & INTER-OFFICE MAIL

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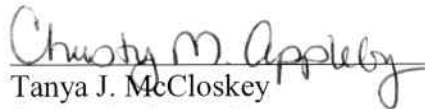
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