

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission et *al.*
v.
PECO Energy Company – Electric Division

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Docket No. R-2010-2161575

**STATEMENT IN SUPPORT OF JOINT PETITION FOR SETTLEMENT
ON BEHALF OF THE COMMERCIAL GROUP**

TO ADMINISTRATIVE LAW JUDGES MARLANE R.CHESTNUT AND CHRISTOPHER PELL:

AND NOW, comes the Commercial Group ("CG") by and through its counsel, Holly Rachel Smith, PLLC, respectfully submits that the terms and conditions of the foregoing Joint Petition for Partial Settlement of Rate Investigation ("Settlement") are in the public interest **and** represent a **lawful** and reasonable balance of interests of PECO and its customers.

INTRODUCTION

1. CG is an ad-hoc group of large commercial customers who take electric service from multiple commercial rate schedules. CG's members are national retailers of goods **and/or** services throughout the United States that have the privilege of providing retail services in the Commonwealth of Pennsylvania. CG's position is that the Settlement is in the public **interest** and recommends that the Administrative Law Judges ("ALJs") reviewing this matter **recommend** that the Commission adopt the settlement in its entirety.

DISCUSSION

2. The Settlement represents a balance of the interests of the Company and its customers who reside on various rate schedules. CG agrees with the reasons enumerated in

paragraph 9 of the Joint **Petition as** to why this settlement package is in the public interest. Moreover, CG filed testimony in this proceeding concerning the appropriate calculation of cost of service, the appropriate means to adopt a revenue allocation and appropriate parameters **for** setting a return on equity. Other parties to this proceeding, including the Company, also addressed these issues in testimony. From **CG's** perspective, the Settlement arrives at a reasonable compromise of all the issues to which the agreement applies. CG acknowledges ~~that~~ the Settlement represents the give-and-take of settlement negotiations between multiple **parties** with diverse interests.

3. If the **ALJs** recommend that the Commission adopt the Settlement in its **entirety**, CG agrees to waive the filing of Exceptions. However, CG has not waived its right to file Reply Exceptions with respect to any modifications to the terms and conditions of the Settlement, ~~or~~ any matters, that may be proposed by the **ALJs** in the Recommended Decision. CG also **reserves** the right to file Reply Exceptions to any Exception that may be filed with the Commission.

WHEREFORE, the Commercial Group represents that it supports the Settlement a;
being in the public interest and respectfully requests that Administrative Law Judges **Marlane R.**
Chestnut and Christopher **Pell** recommend, and the Commission subsequently approve, **the**
foregoing Joint Petition for Partial Settlement of Rate Investigation, including all terms **and**
conditions contained therein.

DATED: August 27, 2010

Respectfully submitted,



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