

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

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IRWINA. POPOWSKY
Consumer Advocate

December 14, 2010

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

RE: Petition of PECO Energy Company for
Approval to Procure Tier II Alternative
Energy Credits and Additional Tier I and
Solar Alternative Energy Credits
Docket No. P-2010-2210975

Petition of PECO Energy Company for
Expedited Approval to Apply Banked
Alternative Energy Credits in AEPS
Reporting Years 2011-2012 and 2012-2013
Docket No. P-00072260

Dear Secretary Chiavetta:

Enclosed for filing is the Prehearing Memorandum of the Office of Consumer Advocate, in the above-referenced proceeding.

Copies have been served as indicated on the enclosed Certificate of Service.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Jennedy S. Johnson".
Jennedy S. Johnson
Assistant Consumer Advocate
PA Attorney I.D. # 203098

Enclosures

cc: Honorable Cynthia W Fordham
Honorable Christopher P Pell

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of PECO Energy Company	:		
for Approval to Procure Tier II	:		
Alternative Energy Credits and	:	Docket No.	P-2010-2210975
Additional Tier I and Solar	:		
Alternative Energy Credits	:		

Petition of PECO Energy Company	:		
for Expedited Approval to Apply	:		
Banked Alternative Energy Credits	:	Docket No.	P-00072260
in AEPS Reporting Years	:		
2011-2012 and 2012-2013	:		

PREHEARING MEMORANDUM
OF THE
OFFICE OF CONSUMER ADVOCATE

Pursuant to Section 333 of the Public Utility Code, 66 Pa. C.S. Section 333, and in response to the December 14, 2010, Prehearing Conference Order issued in the above-captioned matter, the Office of Consumer Advocate (OCA) provides the following information:

I. Introduction

On November 17, 2010, PECO filed a Petition requesting that the Commission approve the following: (1) an annual procurement of supplemental AECs to meet the Alternative Energy Portfolio Standards Act (AEPS) requirements for the portion of PECO's residential load served by PECO through block energy contracts (PECO Share) and to replace any AECs not delivered through PECO's previously approved full requirements default service AEC

procurements; (2) an initial procurement of Tier II AECs to satisfy PECO's anticipated Tier II AEPS requirements and for the portion of PECO's industrial customer default service load that will be served on a contingency basis; (3) a second procurement to satisfy PECO's anticipated Tier II APES requirement for the PECO Share; and (4) the purchase of any additional AECs that PECO may require for AEPS compliance and the sale of any excess AECs that PECO may possess through independent, third-party auctions and brokers experienced in the purchase and sale of AECs.

On November 17, 2010, PECO also filed a Petition for expedited approval to apply banked Alternative Energy Credits (AECs) in the Alternative Energy Portfolio Standard Act (AEPS) Reporting Years 2011-2012 and 2012-2013. In its Petition, PECO seeks approval to apply non-solar, Tier I AECs obtained and banked during its cost recovery period towards the Company's AEPS requirement in the first two full AEPS reporting periods following the end of its cost recovery period on January 1, 2011, instead of in the seventeen month period specified in the Commission's AEPS regulations.

The OCA filed Notices of Intervention and Public Statements in both Dockets on December 7, 2010.

This Petition was assigned to the Office of Administrative Law Judge and was further assigned to Administrative Law Judges Cynthia Williams Fordham and Christopher Pell for investigation and the scheduling of hearings. On December 14, 2010, ALJs Fordham and Pell issued a Prehearing Conference Order and scheduled a Prehearing Conference for December 16, 2010. The OCA submits this Prehearing Memorandum in accordance with that Prehearing Conference Order.

II. Issues and Sub-issues

The OCA has not identified any issues with the Company's filings.

III. Witnesses

The OCA has determined that it will not present a witness in these proceedings. If the OCA decides to present a witness to respond to testimony filed by any party, the OCA will notify the parties and Your Honors immediately.

IV. Discovery

The OCA will work with the parties regarding responses for discovery.

V. Service On The OCA

The OCA will be represented in these proceedings by Tanya J. McCloskey, Senior Assistant Consumer Advocate, and Jennedy J. Johnson, Assistant Consumer Advocate. Two copies of all documents should be served on the OCA as follows:

Tanya J. McCloskey
Senior Assistant Consumer Advocate
Jennedy J. Johnson
Assistant Consumer Advocate
Office of Consumer Advocate
5th Floor, Forum Place
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jjohnson@pacoa.org

As a courtesy, the OCA requests that all electronic correspondence be copied to Jessica J. Horner (JHorner@pacoa.org).

VI. Settlement

The OCA is willing to participate in settlement discussions.

VII. Proposed Schedule

The OCA will work with the parties to develop a mutually agreeable procedural schedule.

Respectfully Submitted,



Tanya J. McCloskey
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Counsel for:
Irwin A. Popowsky
Consumer Advocate

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Dated: December 14, 2010

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CERTIFICATE OF SERVICE

Petition of PECO Energy Company :
for Approval to Procure Tier II :
Alternative Energy Credits and : Docket No. P-2010-2210975
Additional Tier I and Solar :
Alternative Energy Credits :

Petition of PECO Energy Company :
for Expedited Approval to Apply :
Banked Alternative Energy Credits : Docket No. P-00072260
in AEPS Reporting Years :
2011-2012 and 2012-2013 :

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

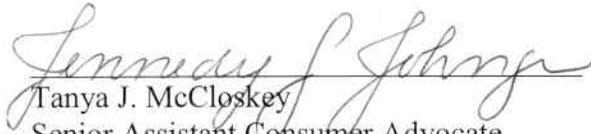
Dated this 14th day of December 2010.

SERVICE BY E-MAIL and FIRST CLASS MAIL

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