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January 14, 2013

*Via Electronic Filing*

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

Re: Petition of PECO Energy Company for Approval of Its Default Service Program  
Docket No. P-2012-2283641

PECO Energy Company's Universal Service and Energy Conservation Plan for 2013-  
2015 Submitted in Compliance with 52 Pa. Code §§ 54.74 and 62.4  
Docket No. M-2012-2290911

Dear Secretary Chiavetta:

Enclosed please find the Prehearing Conference Memorandum of the Retail Energy Supply Association (RESA) and Direct Energy Services, LLC in the above-referenced matter.

A copy of this filing is being served on the parties as per the attached Certificate of Service.

Sincerely,

A handwritten signature in black ink, appearing to read 'Edward G. Lanza'.

Edward G. Lanza

Enclosure

c: Hon. Cynthia Williams Fordham, ALJ  
Parties on Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition Of PECO Energy Company For	:	
Approval Of Its Default Service Program	:	Docket No. P-2012-2283641
	:	
PECO Energy Company's Universal	:	
Service and Energy Conservation Plan for	:	Docket No. M-2012-2290911
2013-2015 Submitted in Compliance with	:	
52 Pa. Code §§ 54.74 and 62.4	:	

**PREHEARING MEMORANDUM  
OF RETAIL ENERGY SUPPLY ASSOCIATION &  
DIRECT ENERGY SERVICES, LLC**

Pursuant to 52 Pa. Code §§ 5.72-5.75 and the Prehearing Conference Order dated January 9, 2013, in the above-referenced proceeding, the Retail Energy Supply Association (“RESA”)<sup>1</sup> and Direct Energy Services, LLC (“Direct Energy”) submit this Prehearing Memorandum.

**I. REPRESENTATION**

RESA’s and Direct Energy’s attorneys in this matter are:

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<sup>1</sup> RESA’s members include: Champion Energy Services, LLC; ConEdison *Solutions*; Constellation NewEnergy, Inc.; Direct Energy Services, LLC; Energetix, Inc.; Energy Plus Holdings LLC; Exelon Energy Company; GDF SUEZ Energy Resources NA, Inc.; Green Mountain Energy Company; Hess Corporation; Integrys Energy Services, Inc.; Just Energy; Liberty Power; MC Squared Energy Services, LLC; Mint Energy, LLC; NextEra Energy Services; Noble Americas Energy Solutions LLC; PPL EnergyPlus, LLC; Reliant and TriEagle Energy, L.P.. The comments expressed in this filing represent the position of RESA as an organization but may not represent the views of any particular member of RESA.

RESA and Direct Energy agree to accept electronic service to all attorneys listed above to be followed up with one hard copy of the documents served.

## **II. PRESENTLY IDENTIFIED ISSUES**

RESA and Direct Energy are primarily concerned with ensuring that PECO's Default Service Plan and the Company's Universal Service Plan comply with the Commission's direction that Customer Assistance Program ("CAP") customers have the opportunity to purchase electricity from an Electric Generation Supplier ("EGS") of their choice, and that they are able to participate in the Retail Market Enhancement programs approved by the Commission for PECO, so that *all* customers have the ability to avail themselves of the full benefits of retail electric competition.

At this time, RESA and Direct Energy continue to evaluate their position on PECO's default service and universal service plans and will refine their position based on further study of any proposals, review of discovery and additional input from other parties. RESA and Direct Energy reserve the right to address other issues identified through its continued review and analysis of any filing or issues raised by other parties.

## **III. WITNESSES**

At this time, RESA and Direct Energy have not determined whether evidentiary hearings will be necessary or appropriate in this matter. RESA and Direct Energy are still evaluating whether or not to present testimony in this case. RESA and Direct Energy reserve the right to present a witness as may be necessary depending on the course of the proceeding and will provide the Presiding Officer as well as the other parties in this matter reasonable notice if necessary. RESA and Direct Energy also reserve their right to add additional witnesses or change the identity of its witnesses at any time upon appropriate notice to the Presiding Officer and the parties.

#### IV. LITIGATION SCHEDULE AND DISCOVERY RULES

RESA and Direct Energy are amenable to working with the other parties in this matter to adopt a reasonable litigation schedule and/or necessary modifications to the Commission's discovery rules.

#### V. SETTLEMENT

RESA and Direct Energy are willing to participate in settlement discussions with any party to narrow or resolve any issues in this matter.

Respectfully submitted,



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Date: January 14, 2013

Attorneys for Retail Energy Supply Association and  
Direct Energy Services, LLC

## CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the Prehearing Memorandum of Retail Energy Supply Association and Direct Energy Services, LLC upon the participants listed below in accordance with the requirements of § 1.54 (relating to service by a participant).

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