

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

**Answer of Tenant Union Representative Network and
Action Alliance of Senior Citizens of Greater Philadelphia to the Petition of PECO Energy
Company for Approval of its Customer Assistance Program Shopping Plan**

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., respectfully submits this answer to the Petition of PECO Energy Company (“PECO” or the “Company”) for Approval of its Customer Assistance Program (“CAP”) Shopping Plan, pursuant to 52 Pa. Code §§ 5.61(e).

TURN is a not-for-profit advocacy organization composed of moderate and low income tenants, all either customers of PECO or dependent on PECO electricity service and all residing in Philadelphia, PA. In those capacities, they have a direct, immediate, substantial and distinct interest in the proposed PECO CAP Shopping Plan.

Action Alliance of Senior Citizens of Greater Philadelphia (“Action Alliance”) is a not-for-profit membership organization of senior citizens, many of whom are Philadelphia taxpayers, residents and customers of PECO, on which they rely for their electricity needs, including heating and cooling. In those capacities, they have a direct, immediate, substantial and distinct interest in the proposed PECO CAP Shopping Plan.

For the reasons stated herein, TURN et al. requests that the Commission find that TURN et al. has standing to participate in this proceeding and conduct full hearings, after a reasonable

opportunity for discovery, prior to reaching a decision on the merits of PECO's petition. In support, TURN et al. states as follows:

I. BACKGROUND

On January 13, 2012, PECO filed a Petition requesting approval of its Default Service Program for the period from June 1, 2013 to May 31, 2015 (DSP II). The Petition concerned PECO's proposed plan for providing service to its default service customers and proposed retail market enhancement programs.

On February 13, 2013, TURN et al. filed a Petition to Intervene in the DSP II proceeding, citing the intervenors' interest in the impact of the Default Service Plan on moderate and low income residential customers, particularly tenants and seniors. Intervenor status was granted by Administrative Law Judge Dennis Buckley.

On October 12, 2012, the Commission entered the DSP II Order, approving DSP II with revisions and directing PECO to develop a plan to allow its CAP customers to purchase their generation from electric generation suppliers ("EGSs") by January 1, 2014.

On November 8, 2012, the Commission issued a Tentative Order partially approving PECO's Universal Service and Energy Conservation Plan for 2013-2015 (Three Year Plan) at docket M-2012-2290911 and seeking comments from interested parties on specific aspects of the plan. The Commission issued a Secretarial Letter on January 3, 2013 addressing procedural issues in both the DSP II and Three Year Plan in an effort to issue a Final Order on PECO's Three Year Plan before PECO filed its CAP Shopping Plan.

In the Secretarial Letter, the Commission extended the date by which PECO CAP customers must be able to purchase generation supply from EGSs to April 1, 2013. To ensure that any changes to PECO's CAP Plan were made prior to PECO's submission of its CAP

Shopping Plan, the Commission assigned the Three Year Plan proceeding to the Office of Administrative Law Judge to conduct any necessary evidentiary hearings and briefing, and certify the record (if any) to the Commission by March 1, 2013. The Commission stated that it would adopt a Final Order on the Three Year Plan by April 4, 2013 and directed PECO to file a CAP shopping plan on or around May 1, 2013. TURN et al. was an active participant in the Three Year Plan proceeding.

PUC ALJ Cynthia Fordham certified the record by March 1, 2013 and the Commission entered its Final Order on the Three Year Plan on April 4, 2013. The Commission partially approved PECO's Plan and ordered PECO to file a second amended Plan within 30 days.

On May 1, 2013, PECO filed the instant Petition for approval of its CAP Shopping Plan in which it requested that the Commission issue an Order: (1) approving the Company's CAP Shopping Plan; (2) approving changes to the Company's Electric Tariff and Electric Generation Supplier Coordination Tariff to implement the Plan and achieve full and current recovery of Plan costs; (3) granting a waiver of the quarterly reconciliation provisions of the Commission's regulations (52 Pa. Code §§ 54.187(i) and (j)), to the extent necessary, to implement an annual reconciliation of the over/under collection component of the Generation Supplier Adjustment for residential customers; and (4) approving a short delay in the commencement date of the Plan from April 1, 2014 to April 15, 2014 to accommodate the Company's information technology programming and integrated software schedule.

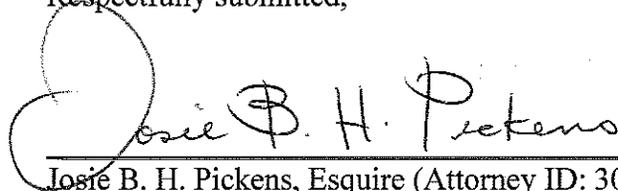
II. ANSWER

Pursuant to 52 Pa. Code § 5.61(e)(2), TURN et al. asserts that it has standing to file this answer and intervene in this proceeding. TURN et al. has already been granted intervenor status in the DSP-II proceeding. TURN et al. has reviewed the CAP Shopping Plan and through

participation seeks to ensure that PECO's proposed Shopping Plan provides adequate and comprehensive protections for PECO's low income residential customers, including but not limited to tenants and seniors. TURN et al. anticipates that additional issues may arise as a more comprehensive review of PECO's filing is undertaken, including a more comprehensive review of PECO's testimony as well as any discovery that is conducted. Without further development of the record, TURN et al. does not have sufficient information to affirm or deny whether PECO's Shopping Plan meets all applicable standards. It is to be noted that PECO anticipates that its proposal will be reviewed in a hearing process before an Administrative Law Judge.

WHEREFORE, TURN et al. respectfully requests that the proposed PECO CAP Shopping Plan be set for hearings to ensure (1) that the proposed PECO CAP Shopping Plan adequately protects and addresses the needs of CAP and CAP eligible low income customers; and, (2) that the proposed CAP Shopping Plan is consistent with Pennsylvania law.

Respectfully submitted,



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May 21, 2013

VERIFICATION

I, Phil Lord, on behalf of Tenant Union Representative Network (TURN), hereby state that the facts contained in the foregoing pleading are true and correct to the best of my knowledge, information and belief, that I am duly authorized to make this Verification, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 10 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

Date: May 21, 2013

/s/ Phil Lord
Title: Executive Director, TURN

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served copies of the **Answer of Tenant Union Representative Network and Action Alliance of Senior Citizens of Greater Philadelphia to the Petition of PECO Energy Company for Approval of its Customer Assistance Program Shopping Plan**, as set forth below in accordance with the requirements of 52 Pa. Code § 1.54 :

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