

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

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February 18, 2014

Rosemary Chiavetta, Secretary
PA Public Utility Commission
Commonwealth Keystone Bldg.
400 North Street
Harrisburg, PA 17120

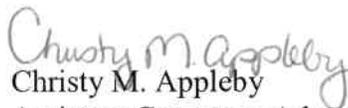
RE: Petition of PECO Energy Company for Approval of
Its Default Service Program
(Customer Assistance Program Shopping Plan)
Docket No. P-2012-2283641

Dear Secretary Chiavetta:

Enclosed please find the Office of Consumer Advocate's Answer in Support of the Petition of PECO Energy Company for Reconsideration and Clarification and the Joint Petition for Reconsideration and/or Clarification and Stay filed on Behalf of CAUSE-PA and TURN in the above-captioned proceeding.

Copies have been served upon all parties of record as shown on the attached Certificate of Service.

Sincerely,


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

Enclosures

cc: Hon. Cynthia Williams Fordham, ALJ
Office of Special Assistants (ra-OSA@pa.gov)
Certificate of Service

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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

ANSWER OF THE
OFFICE OF CONSUMER ADVOCATE IN SUPPORT OF
THE PETITION OF PECO ENERGY COMPANY
FOR RECONSIDERATION AND CLARIFICATION
AND THE JOINT PETITION FOR
RECONSIDERATION AND/OR CLARIFICATION AND STAY
FILED ON BEHALF OF CAUSE-PA AND TURN

On February 10, 2014, PECO Energy Company (PECO or Company) filed a Petition for Reconsideration and Clarification (PECO Petition) and an Application for Stay of the Commission's January 24, 2014 Order (Application for Stay). Also on February 10, 2014, the Office of Consumer Advocate filed a Petition for Reconsideration and Clarification of the Commission's Order (OCA Petition), and the Joint Petitioners of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA) and the Tenant Union Representative Network and Action Alliance of Senior Citizens of Greater Philadelphia (TURN) (collectively CAUSE-PA and TURN are referred to as CAUSE-PA/TURN) filed a Joint Petition for Reconsideration and/or Clarification and for Stay (CAUSE-PA/TURN Petition). On February 12, 2014, the Commission issued a Secretarial Letter requiring Answers to the Petitions for Stay and Reconsideration and/or Clarification by Tuesday, February 18, 2014. By separate pleading, the OCA filed an Answer in support of the request for stay.

The OCA supports and agrees with the grounds for reconsideration that PECO identified in its Petition for Reconsideration. PECO proposed that the Commission reconsider PECO's proposed price protection for CAP Shopping customers. PECO Petition at 10-14. In its Petition for Reconsideration, PECO averred that the price protection was designed to promote retail electric shopping and allow CAP customers access to the competitive market "without undermining the affordability of service for those customers or significantly increasing the costs paid by PECO's residential customers through the USFC [the Universal Service Fund Charge]." PECO Petition at 5. Similarly, OCA and CAUSE-PA/TURN requested that the Commission reconsider its decision with respect to this aspect of PECO's CAP Shopping Plan. See, OCA Petition at 4-10; CAUSE-PA/TURN Petition at 7-13. For all the reasons set forth in the PECO Petition, CAUSE-PA/TURN Petition, and the OCA Petition, the OCA supports the proposed price protection and respectfully requests that the Commission reconsider its decision in this matter.

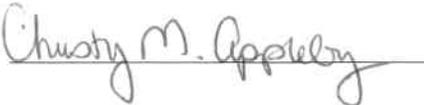
The OCA also supports CAUSE-PA/TURN's request for Reconsideration of the Commission's decision regarding cancellation fees. CAUSE-PA/TURN Petition at 13-14. The OCA agrees that the imposition of cancellation and termination fees have the potential to make it financially difficult for CAP customers to leave EGS contracts even when those contracts are harmful to the customer. The OCA supports CAUSE-PA/TURN's request for reconsideration of the imposition of cancellation fees on CAP Shopping customers and submits that it should be granted on the merits.

PECO's CAP Shopping Plan also included proposed procedures for EGSs to participate in the CAP Shopping Program, including procedures to register with PECO to participate as a CAP supplier and to comply with certain time periods for entering and exiting the group of

suppliers serving the CAP retail market. PECO Petition at 14-15. The Commission's Order maintained these protections, and in PECO's Petition, the Company states that without the price protection component, these protections are not necessary. Id. The OCA submits that, separate and apart from the price protection component of PECO's CAP Shopping Plan, the Commission may wish to retain these requirements to determine which EGSs are participating in the program. The requirements provide, at a minimum, a distinction between the products EGSs are making available to CAP customers and those that they are making to non-CAP residential customers. Therefore, the OCA respectfully requests that this distinction be maintained.

WHEREFORE, for all of the reasons set forth in the OCA's Petition for Reconsideration, PECO's Petition, and CAUSE-PA/TURN's Petitions, the Office of Consumer Advocate respectfully requests that the PECO Petition and CAUSE-PA/TURN Petitions be granted on the merits with respect to the price protection component of PECO's CAP Shopping Plan. The OCA also respectfully requests that the requirements for EGSs to register to participate in the CAP retail market be maintained as proposed in PECO's filed CAP Shopping Plan. Finally, the OCA respectfully requests that the CAUSE-PA/TURN Petition be granted on the merits with respect to the elimination of cancellation and termination fees.

Respectfully Submitted,



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CERTIFICATE OF SERVICE

Re: Petition of PECO Energy Company for Approval of Its Default Service Program
(Customer Assistance Program Shopping Plan)
Docket No. P-2012-2283641

I hereby certify that I have this day served a true copy of the foregoing document, the Office of Consumer Advocate's Answer in Support of the Petition of PECO Energy Company for Reconsideration and Clarification and the Joint Petition for Reconsideration and/or Clarification and Stay Filed on Behalf of CAUSE-PA and TURN, 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 18th day of February 2014.

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