



COMMONWEALTH OF PENNSYLVANIA

June 7, 2016

E-FILED

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

**Re: Petition of PECO Energy Company For: (1) Approval of its Microgrid Integrated Technology Pilot Plan; and (2) Issuance of A Declaratory Order Regarding the Recovery of Microgrid Costs
Docket No. P-2016-2546452**

**Application For Construction of Microgrid Distributed Energy Resources Fueled By Natural Gas
Docket No. A-2016-2546450**

Dear Secretary Chiavetta:

I am delivering for filing today the Answer, Notice of Intervention, and Public Statement, on behalf of the Office of Small Business Advocate, in the above-captioned proceeding.

Copies will be served on all known parties in this proceeding, as indicated on the attached Certificate of Service.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Elizabeth Rose Triscari".

Elizabeth Rose Triscari
Deputy Small Business Advocate
Attorney ID No. 306921

Enclosures

cc: The Honorable Eranda Vero
The Honorable Cynthia W. Fordham
Mr. Brian Kalcic
Parties of Record

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**PETITION OF PECO ENERGY COMPANY :
FOR: (1) APPROVAL OF ITS MICROGRID :
INTEGRATED TECHNOLOGY PILOT PLAN : Docket No. P-2016-2546452
AND (2) ISSUANCE OF A DECLARATORY :
ORDER REGARDING THE RECOVERY OF :
MICROGRID COSTS :**

**APPLICATION FOR CONSTRUCTION OF :
MICROGRID DISTRIBUTED ENERGY : Docket No. A-2016-2546450
RESOURCES FUELED BY NATURAL GAS :**

**ANSWER OF THE OFFICE OF SMALL BUSINESS ADVOCATE
TO PETITION OF PECO ENERGY COMPANY FOR: (1) APPROVAL OF ITS
MICROGRID INTEGRATED TECHNOLOGY PILOT PLAN AND (2) ISSUANCE OF A
DECLARATORY ORDER REGARDING THE RECOVERY OF MICROGRID COSTS
AND APPLICATION FOR CONSTRUCTION OF MICROGRID DISTRIBUTED
ENERGY RESOURCES FUELED BY NATURAL GAS**

Pursuant to 52 Pa. Code §5.61(e), the Office of Small Business Advocate (“OSBA”) hereby answers the Petition of PECO Energy Company for: (1) Approval of its Microgrid Integrated Technology Pilot Plan and (2) Issuance of a Declaratory Order Regarding the Recovery of Microgrid Costs (“Petition”) pursuant to Sections 331(f) and 501 of the Public Utility Code, and Sections 5.41 and 5.42 of the Commission’s regulations; and Application for Construction of Microgrid Distributed Energy Resources Fueled by Natural Gas (“Application”) pursuant to Section 519 of the Public Utility Code with the Pennsylvania Public Utility Commission (“Commission”) on May 18, 2016, and avers the following in support thereof:

1. The OSBA is an agency of the Commonwealth of Pennsylvania authorized by the Small Business Advocate Act (Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50) to represent the

interest of small business consumers as a party in proceedings before the Commission.

Concurrent with the filing of this Answer, the OSBA is filing a Notice of Intervention and Public Statement in connection with the above-captioned proceeding to protect the interest of the Company's small business customers.


2. In the Petition and Application, the Company seeks approval of PECO's Microgrid Pilot Plan and issuance of a declaratory order that PECO may seek to recover costs of the Pilot that are not recoverable through its electric Distribution System Improvement Charge ("DSIC") in a future distribution base rate case filed under Section 1308 of the Public Utility Code. Pursuant to PECO's Microgrid Pilot Plan, PECO proposes to construct, own and operate several distributed energy resource ("DER") technologies to power the proposed community microgrid in Concord Township, Pennsylvania.

3. After preliminary review of the materials filed by the Company in support of the Petition and Application, the OSBA believes, and therefore avers, that those materials may be insufficient to justify the relief requested and that the Company's proposals may be unjust, unreasonable, unduly discriminatory, and otherwise contrary to law, particularly as it pertains to small business customers.

4. The OSBA believes, and therefore avers, that the Company's proposals may be unjust, unreasonable, and unlawfully discriminatory in violation of, inter alia, Sections 1301 and 1304 of the Public Utility Code, 66 Pa.C.S. §§1301 and 1304, and contrary to appropriate public policy and sound ratemaking considerations, and may not be supported by the materials filed by the Company.

WHEREFORE, the OSBA respectfully requests that the Commission refer PECO's Petition and Application to the Office of Administrative Law Judge for hearings and the preparation of a Recommended Decision.

Respectfully submitted,



Elizabeth Rose Triscari
Deputy Small Business Advocate
Attorney ID No. 306921

For:

John R. Evans
Small Business Advocate

Office of Small Business Advocate
300 North Second Street, Suite 202
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)

Dated: June 7, 2016

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PETITION OF PECO ENERGY COMPANY :
FOR: (1) APPROVAL OF ITS MICROGRID :
INTEGRATED TECHNOLOGY PILOT PLAN : **Docket No. P-2016-2546452**
AND (2) ISSUANCE OF A DECLARATORY :
ORDER REGARDING THE RECOVERY OF :
MICROGRID COSTS :

APPLICATION FOR CONSTRUCTION OF :
MICROGRID DISTRIBUTED ENERGY : **Docket No. A-2016-2546450**
RESOURCES FUELED BY NATURAL GAS :

**NOTICE OF INTERVENTION
OF THE SMALL BUSINESS ADVOCATE**

1. The Intervenor is:

John R. Evans
Small Business Advocate
Office of Small Business Advocate
300 North Second Street, Suite 202
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)
jorevan@pa.gov

2. The name and address of the Intervenor's attorney is:

Elizabeth Rose Triscari
Deputy Small Business Advocate
Office of Small Business Advocate
300 North Second Street, Suite 202
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)
etriscari@pa.gov

3. The respondent utility is:

PECO Energy Company
2301 Market Street
Philadelphia, PA

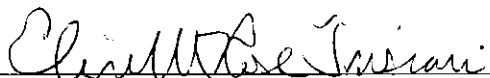
4. The Intervenor is authorized and directed by the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50, to represent the interests of small business consumers of utility services in matters before the Pennsylvania Public Utility Commission (“Commission”).

5. This Intervention is filed regarding the Petition of PECO Energy Company for: (1) Approval of its Microgrid Integrated Technology Pilot Plan and (2) Issuance of a Declaratory Order Regarding the Recovery of Microgrid Costs and Application for Construction of Microgrid Distributed Energy Resources Fueled by Natural Gas, filed with the Commission on May 18, 2016.

6. In view of the foregoing, the Small Business Advocate respectfully requests that the Commission:

- A. Direct the Office of Administrative Law Judge to holding hearings on the Petition and prepare an initial decision; and
- B. Grant such other relief as may be necessary or appropriate.

Respectfully submitted,


Elizabeth Rose Triscari
Deputy Small Business Advocate
Attorney ID No. 306921

Office of Small Business Advocate
300 North Second Street, Suite 202
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)

Dated: June 7, 2016

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PETITION OF PECO ENERGY COMPANY :
FOR: (1) APPROVAL OF ITS MICROGRID :
INTEGRATED TECHNOLOGY PILOT PLAN : **Docket No. P-2016-2546452**
AND (2) ISSUANCE OF A DECLARATORY :
ORDER REGARDING THE RECOVERY OF :
MICROGRID COSTS :

APPLICATION FOR CONSTRUCTION OF :
MICROGRID DISTRIBUTED ENERGY : **Docket No. A-2016-2546450**
RESOURCES FUELED BY NATURAL GAS :

:

**PUBLIC STATEMENT
OF THE SMALL BUSINESS ADVOCATE**

The Small Business Advocate is authorized and directed to represent the interests of small business consumers of utility services in Pennsylvania under the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50 (“Act”). The Act further provides that the Small Business Advocate is to issue publicly a written statement setting forth concisely the specific interest of small business consumers to be protected by his initiation of or intervention in any proceeding involving those interests before the Pennsylvania Public Utility Commission (“Commission”) or any other agency or court. This public statement relates to the Small Business Advocate’s intervention in the above-captioned Commission proceeding.

On May 18, 2016, PECO Energy Company (“PECO” or “Company”) filed the Petition of PECO Energy Company for: (1) Approval of its Microgrid Integrated Technology Pilot Plan and (2) Issuance of a Declaratory Order Regarding the Recovery of Microgrid Costs (“Petition”) pursuant to Sections 331(f) and 501 of the Public Utility

Code, and Sections 5.41 and 5.42 of the Commission's regulations; and Application for Construction of Microgrid Distributed Energy Resources Fueled by Natural Gas ("Application") pursuant to Section 519 of the Public Utility Code, with the Commission.

The Small Business Advocate is intervening in the above-captioned proceeding in order to protect the interests of the Company's small business customers. A thorough inquiry by the Commission into all of the elements of the Company's Petition and Application is necessary to ensure that it is in the public interest. The Small Business Advocate will participate in proceedings before the Commission to investigate the reasonableness of the proposals. The Small Business Advocate will ask the Commission to deny any tariff changes that apply to small business customers that are not proven by PECO to be lawful, just, reasonable, and not unduly discriminatory to the Company's small business customers.

In view of the foregoing, the Small Business Advocate is requesting that the Petition and Application be subject to investigation and evidentiary hearings before the Commission. The Small Business Advocate will ask the Commission to deny or modify any aspect of PECO's proposal that is not proven by the Company to be in accord with the Public Utility Code, all other applicable statutes, and with the Commission's regulations, policy statements and orders.

Dated: June 7, 2016

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**PETITION OF PECO ENERGY COMPANY :
FOR: (1) APPROVAL OF ITS MICROGRID :
INTEGRATED TECHNOLOGY PILOT PLAN : Docket No. P-2016-2546452
AND (2) ISSUANCE OF A DECLARATORY :
ORDER REGARDING THE RECOVERY OF :
MICROGRID COSTS :**

**APPLICATION FOR CONSTRUCTION OF :
MICROGRID DISTRIBUTED ENERGY : Docket No. A-2016-2546450
RESOURCES FUELED BY NATURAL GAS :**

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing have been served via email and/or First-Class mail (unless other noted below) upon the following persons, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

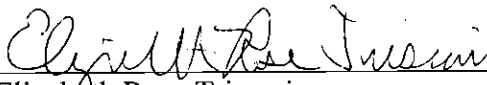
The Honorable Eranda Vero
The Honorable Cynthia W. Fordham
Office of Administrative Law Judge
Pennsylvania Public Utility Commission
801 Market Street, Suite 4063
Philadelphia, PA 19107
evero@pa.gov
cfordham@pa.gov
(Email and US Mail)

Johnnie E. Simms, Esquire
Bureau of Investigation & Enforcement
400 North Street
Commonwealth Keystone Bldg.
Harrisburg, PA 17120
josimms@pa.gov
(Email and Hand Delivery)

Tanya J. McCloskey, Esquire
Acting Consumer Advocate
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101
tmccloskey@paoca.org
(Email and Hand Delivery)

Michael S. Swerling, Esquire
PECO
Legal Department
2301 Market Street / S23-1
Philadelphia, PA 19103
Michael.swerling@exeloncorp.com
(Email and US mail)

DATE: June 7, 2016


Elizabeth Rose Triscari
Deputy Small Business Advocate
Attorney I.D. No. 306921