



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

January 13, 2017

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

Re: PECO Energy Company Pilot Plan for an Advance Payment Program and
Petition for Temporary Waiver of Portions of the Commission's
Regulations with Respect to that Plan
Docket No. P-2016-2573023

Dear Secretary Chiavetta:

Enclosed please find the Bureau of Investigation and Enforcement's (I&E) **Reply
Comments** in the above-captioned proceeding.

Copies are being served on parties as identified in the attached certificate of
service. If you have any questions, please contact me at (717) 787-8754.

Sincerely,

Gina L. Miller

Prosecutor

Bureau of Investigation and Enforcement
PA Attorney I.D. #313863

GLL/sea
Enclosure

cc: Certificate of Service

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PECO Energy Company Pilot Plan for an	:	
Advance Payment Program and Petition for	:	Docket No. P-2016-2573023
Temporary Waiver of Portions of the	:	
Commission's Regulations with Respect to	:	
that Plan	:	

CERTIFICATE OF SERVICE

I hereby certify that I am serving the foregoing **Reply Comments** dated January 13, 2017, in the manner and upon the persons listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party):

Served via First Class and Electronic Mail

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Gina L. Miller
Prosecutor
Bureau of Investigation and Enforcement
PA Attorney I.D. #313863

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PECO ENERGY COMPANY'S	:	
PILOT PLAN FOR AN ADVANCE	:	
PAYMENTS PROGRAM SUBMITTED	:	Docket No. P-2016-2573023
PURSUANT TO 52 PA. CODE §56.17	:	
	:	
	:	
	:	
PECO ENERGY COMPANY'S	:	
PETITION FOR TEMPORARY WAIVER	:	
OF PORTIONS OF THE COMMISSION'S	:	
REGULATIONS WITH RESPECT TO	:	
THAT PLAN	:	

**REPLY COMMENTS OF THE
BUREAU OF INVESTIGATION & ENFORCEMENT**

I. INTRODUCTION

The Bureau of Investigation & Enforcement (“I&E”) incorporates the Introduction section of its Comments regarding PECO Energy Company’s (“PECO”) Petition for Approval of an Advance Payments Program and Petition for Temporary Waiver of Commission Regulations (collectively the “Petition”) submitted on December 15, 2016. By way of further information, along with I&E, the following parties filed timely Comments in this proceeding: the Office of Consumer Advocate, the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania, PPL Electric Utilities Corporation, the Retail Energy Supply Association, NRG Energy, Inc., Direct Energy,

AARP Pennsylvania, the Aids Law Project of Pennsylvania, CADCOM, the Clean Air Council, the Natural Resources Defense Council, Tenant Union Representative Network and Action Alliance of Senior Citizens of Greater Philadelphia, Earth Quaker Action Team, Neighborhood Energy Centers, Philadelphia Workers Benefit Council, and Duquesne Light Company. As part of their Comments, several commenters, including I&E, requested that PECO's Petition be referred to the Office of the Administrative Law Judge for the scheduling of hearings to develop a full record regarding the Petition.

After Comments were submitted, PECO's Petition was assigned to the Office of Administrative Law Judge for the development of an evidentiary record, including a Recommended Decision. The OALJ assigned the proceeding to Administrative Law Judge Angela T. Jones and a Prehearing Conference in this matter is set for January 23, 2017. In the interim, pursuant to the deadline published in the Pennsylvania Bulletin, Reply Comments are due in this matter on January 16, 2017.¹

II. I&E's COMMENTS

I&E reiterates its concerns regarding PECO's Petition as previously expressed in I&E's Comments submitted on December 15, 2016. In its Comments, I&E indicated that PECO's Petition (1) fails to identify costs and cost recovery information for its prepayment program; (2) fails to identify costs and cost recovery information for the prepayment program; (3) contemplates only tentative consumer benefits; and (4) may invalidate important consumer protections in violation of the Public Utility Code. Notably, several other commenters in this matter expressed similar concerns to PECO's

¹ 46 Pa.B. 46.

Petition. However, taking into account the procedural posture of this matter, I&E will withhold further commentary. Instead, I&E will investigate the proposals and waiver requests contained in PECO's Petition and address its concerns through the process now available in the litigated proceeding that is currently pending.

III. CONCLUSION

In summary, the Comments submitted in this matter implicated concerns that warrant further consideration. With this in mind, the Bureau of Investigation & Enforcement appreciates the opportunity to conduct an investigation into PECO's Petition. Accordingly, the Bureau of Investigation & Enforcement will fully participate in development of a full record regarding PECO's Petition in lieu of providing any additional comments at this time.

Respectfully submitted,



Gina L. Miller
Prosecutor
PA Attorney ID #313863

Bureau of Investigation & Enforcement
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, Pennsylvania 17105-3265

Dated: January 13, 2017