BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission

v.

PECO Energy Company

Docket No. R-2018-3000164

TESLA INC.’S PREHEARING CONFERENCE MEMORANDUM

Pursuant to the April 20, 2018 prehearing conference order issued by Pennsylvania Public Utility Commission ("Commission") Deputy Chief Administrative Law Judge ("ALJ") Christopher P. Pell and Administrative Law Judge F. Joseph Brady in the above-referenced proceeding, Tesla Inc. ("Tesla") respectfully submits this Prehearing Conference Memorandum.

I. History of these Proceedings

On March 29, 2018, PECO Energy Company (PECO) filed proposed Tariff Electric-Pa. P.U.C. No. 6 to become effective May 28, 2018. Tariff No. 6 sets forth proposed rates designed to produce an increase in PECO’s annual distribution revenue of approximately $82 million, or 2.2% on the basis of total Pennsylvania jurisdictional operating revenue.

By Order entered April 19, 2018, the Pennsylvania Public Utility Commission (Commission) instituted an investigation into the lawfulness, justness, and reasonableness of the proposed rate increase. Pursuant to Section 1308(d) of the Public Utility Code, 66 Pa. C.S.A. § 1308(d), Tariff Electric-Pa. P.U.C. No. 6 was suspended by operation of law until December 28, 2018, unless permitted by Commission Order to become effective at an earlier date. In addition, the Commission ordered that the investigation include consideration of the lawfulness, justness and reasonableness of PECO’s existing rates, rules, and regulations. The matter was assigned to the Office of Administrative Law Judge for the prompt scheduling of hearings culminating in the issuance of a Recommended Decision.

In accordance with the Commission’s April 19, 2018, Order, the matter was assigned to Deputy Chief Administrative Law Judge Christopher P. Pell and Administrative Law Judge F. Joseph Brady.
Our Petition to Intervene was filed on May 3, 2018. Prior to that date, on April 20, 2018, the Commission ALJs issued a prehearing conference order proposing a procedural schedule, setting a prehearing conference, and ordering parties to submit a prehearing conference memorandum by Friday, May 4 2018 at 12:00 pm. Therefore, this filing is timely.

II. Prehearing Conference Order Agenda Items

1) A proposed plan and schedule of discovery
   a. Tesla is amenable to reasonable modification to the Commission’s discovery rules as has become customary to accommodate reduced response time and email service, and we have communicated our agreement regarding those changes with the parties, which we understand will be proposed in PECO’s prehearing memorandum to be filed later today.

2) Possibility of settlement
   a. Tesla intends to participate in settlement discussions.

3) Issues
   a. Tesla primarily seeks permission to intervene in PECO’s request for a general rate increase to examine the effect of PECO’s proposed Electric Vehicle DCFC Pilot Rider (EV-FC). Given Tesla’s extensive expertise and experience with the impacts of electric utility tariffs and their relationship with the development of electric vehicle charging, Tesla’s participation is essential.

4) Amount of hearing time needed
   a. Tesla takes no position at this time.

5) Witnesses
   a. Tesla has not yet determined whom it will present as witnesses or the specific subject matter of any testimony to address the issues identified below or the issues that may be raised by other parties.

6) Schedule for submission of testimony, hearings and briefs
   a. Tesla will cooperate with the parties and Your Honors to establish a reasonable litigation schedule to adjudicate this proceeding and we have communicated our agreement with the parties regarding the proposed
schedule, which we understand will be set forth in PECO’s prehearing memorandum to be filed later today.

7) Public Input hearings
   a. Tesla takes no position at this time.

8) Any other appropriate matter
   a. Tesla takes no position at this time.

Respectfully submitted,

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Date: May 4, 2018

Counsel for Tesla Inc.
Certificate of Service

I, Mark Hammond, hereby certify that on the 4th day of May, 2018, a true and correct copy of the foregoing Pre-Hearing Conference Memorandum was filed electronically on the Commission’s electronic filing system and was served on the following persons via electronic and/or first class mail:

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