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|  | **PENNSYLVANIA**  **PUBLIC UTILITY COMMISSION**  **Harrisburg, PA 17105-3265** |  |

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|  | Public Meeting held May 17, 2018 |
| Commissioners Present: |  |

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| Gladys M. Brown, Chairman | | |
| Andrew G. Place, Vice Chairman | | |
| Norman J. Kennard | |
| David W. Sweet | |
| John F. Coleman, Jr. | |
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| Implementation of Act 40 of 2017  Petition of Community Energy, Inc. and Community Energy Solar, LLC for Clarification and/or Reconsideration of the Commission’s May 3, 2018 Implementation Order | Docket # M-2017-2631527 |

**ORDER**

**BY THE COMMISSION:**

Before the Pennsylvania Public Utility Commission (Commission) for consideration and disposition is the Petition for Clarification and/or Reconsideration filed by Community Energy, Inc. and Community Energy Solar, LLC. The Petition was filed on May 11, 2018 and seeks clarification and/or reconsideration of the Commission’s Final Implementation Order on the Implementation of Act 40 of 2017 entered on May 3, 2018 at Docket No. M‑2017‑2631527.

Pursuant to Rule 1701 of the Pennsylvania Rules of Appellate Procedure, Pa. R.A.P. Rule 1701, the Commission must act to grant a Petition for Reconsideration within thirty days of the date of entry of the order for which reconsideration is sought, or otherwise lose jurisdiction to do so if a Petition for Review is timely filed with the Commonwealth Court of Pennsylvania seeking review of the same order. The thirty‑day period within which the Commission must act upon Community Energy, Inc. and Community Energy Solar, LLC’s Petition in order to preserve its jurisdiction ends on June 4, 2018.[[1]](#footnote-1) Accordingly, the Commission, hereby grants reconsideration within the meaning of Pa. R.A.P. Rule 1701(b)(3) of the Commission’s Order entered May 3, 2018, at Docket No. M‑2017‑2631527 pending review of, and consideration on, the merits of the Petition.

The Commission is cognizant that we directed Electric Distribution Companies and Electric Generation Suppliers seeking to qualify credits under Section 2804(2)(ii) of the Administrative Code, 71 P.S. § 714(2)(ii), to file a petition with the Commission within 60 days from the entry date of the Implementation Order. As the Commission is considering the merits of the instant petition for clarification and/or reconsideration the 60-day period to file a petition seeking qualification of credits under Section 2804(2)(ii) will be stayed pending review of and consideration on the merits of the instant petition; **THEREFORE,**

**IT IS ORDERED:**

1. That the Petition for Reconsideration filed by Community Energy, Inc. and Community Energy Solar, LLC is hereby granted, pending further review of, and consideration on, the merits.

2. The 60-day period for Electric Distribution Companies and Electric Generation Suppliers to file a petition seeking qualification of credits under Section 2804(2)(ii) of the Administrative Code is stayed pending review of and consideration on the merits of Community Energy, Inc. and Community Energy Solar, LLC’s Petition for Clarification and/or Reconsideration.

**BY THE COMMISSION,**

Rosemary Chiavetta

Secretary

(SEAL)

ORDER ADOPTED: May 17, 2018

ORDER ENTERED: May 17, 2018

1. The Commission notes that 30 days after May 3, 2018 falls on June 2, 2018, which is a Saturday. Therefore, the Commission’s jurisdiction ends on June 4, 2018, the following Monday. *See* 1 Pa. C.S. § 1908. [↑](#footnote-ref-1)