



COMMONWEALTH OF PENNSYLVANIA

January 4, 2019

E-FILED

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

**Re: Non-Bypassable Transmission Service Charge (NBT) Semiannual Adjustment,
PECO Energy Electric Tariff No. 5, Supplement No. 76 Effective December 1, 2018 /
Docket No. M-2018-3005860**

Dear Secretary Chiavetta:

Enclosed please find the Notice of Intervention, Public Statement, and Verification, on behalf of the Office of Small Business Advocate ("OSBA"), 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 blue ink, appearing to read "EK Fure".

Erin K. Fure
Assistant Small Business Advocate
Attorney ID No. 312245

Enclosures

cc: Brian Kalcic
Parties of Record

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Non-Bypassable Transmission Service Charge :
(NBT) Semiannual Adjustment, PECO : Docket No. M-2018-3005860
Energy Electric Tariff No. 5, Supplement No. :
76 Effective December 1, 2018 :**

**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:

Erin K. Fure
Assistant Small Business Advocates
Office of Small Business Advocate
300 North Second Street, Suite 202
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)
efure@pa.gov

3. The respondent utility is:

PECO Energy Company
2301 Market Street
Philadelphia, PA 19101

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 filing by PECO Energy Company regarding its Tariff No. 5, Supplement No. 76 filed on November 7, 2018.

Respectfully submitted,



Erin K. Fure
Assistant Small Business Advocate
Attorney ID No. 312245

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

Dated: January 4, 2019

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Non-Bypassable Transmission Service Charge :
(NBT) Semiannual Adjustment, PECO : Docket No. M-2018-3005860
Energy Electric Tariff No. 5, Supplement No. :
76 Effective December 1, 2018 :**

**PUBLIC STATEMENT OF
THE OFFICE OF SMALL BUSINESS ADVOCATE**

The Small Business Advocate is authorized and directed to represent the interest 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 (the “Act”). The Act further provides that the Small Business Advocate is to issue publicly a written statement stating 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 Public Utility Commission (the “Commission”) or any other agency or court. This public statement relates to the filing today by the Small Business Advocate of a Notice of Intervention in the proceeding commenced by PECO Energy Company (“PECO” or “the Company”) regarding its Tariff No. 5, Supplement No. 76 (“Supplement No. 76”) filed on November 7, 2018.

In Supplement No. 76, PECO proposes to reflect in its Non-Bypassable Transmission Service Charge the Regional Transmission Expansion Plan Credits being refunded to the PECO Zone by PJM Interconnection, L.L.C. This refund proposal is made pursuant to the Settlement Agreement at the Federal Energy Regulatory Commission Docket No. EL05-121-009. Supplement No. 76 proposes that PECO will retain \$5.5 million of the total credits from December 1, 2018, through November 30, 2019, and will refund approximately \$74 million of the credits to the Company’s customers through 2025.

The Small Business Advocate files this Notice of Intervention 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 Supplement No. 76 is necessary to ensure that it is in accordance with the Public Utility Code, all other applicable statutes, and Commission regulations and orders.

In view of the foregoing, the Small Business Advocate will participate in proceedings before the Commission to investigate Supplement No. 76. The Small Business Advocate will ask the Commission to deny or modify any aspect of Supplement No. 76 that is not proven by PECO to be in accordance with the Public Utility Code, all other applicable statutes, and Commission regulations and orders.

Dated: January 4, 2019

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Non-Bypassable Transmission Service Charge :
(NBT) Semiannual Adjustment, PECO : **Docket No. M-2018-3005860**
Energy Electric Tariff No. 5, Supplement No. :
76 Effective December 1, 2018 :

VERIFICATION

I, John R. Evans, hereby state that the facts set forth herein above are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Date: January 4, 2019



(Signature)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Non-Bypassable Transmission Service Charge :
(NBT) Semiannual Adjustment, PECO : **Docket No. M-2018-3005860**
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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 otherwise 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 Charles E. Rainey Jr.
Chief Administrative Law Judge
Pennsylvania Public Utility Commission
400 North Street
Commonwealth Keystone Building
Harrisburg, PA 17120
crainey@pa.gov
(Email and Hand Delivery)

Harrison W. Breitman, Esquire
Lauren M. Burge, Esquire
Darryl A. Lawrence, Esquire
Office of Consumer Advocate
555 Walnut Street, 5th Floor
Harrisburg, PA 17101
HBreitman@paoca.org
LBurge@paoca.org
DLawrence@paoca.org
(Counsel for OCA)
(Email and Hand Delivery)

Richard Kanaskie, Esquire
Bureau of Investigation & Enforcement
400 North Street
Commonwealth Keystone Building
Harrisburg, PA 17120
rkanaskie@pa.gov
(Counsel for BIE)
(Email and Hand Delivery)

DATE: January 4, 2019

Paul Diskin, Director
Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
400 North Street
Commonwealth Keystone Building
Harrisburg, PA 17120
pdiskin@pa.gov
(Email and Hand Delivery)

Ward L. Smith, Esquire
Romulo L. Diaz, Jr., Esquire
Jack R. Garfinkle, Esquire
PECO Energy Company
2301 Market Street, S23-1
Philadelphia, PA 19103
Ward.Smith@exeloncorp.com
Romulo.Diaz@exeloncorp.com
Jack.Garfinkle@exeloncorp.com
(Counsel for PECO)

Kenneth M. Kulak, Esquire
Brooke E. McGlenn, Esquire
Morgan, Lewis & Bockius LLP
1701 Market Street
Philadelphia, PA 19103
Ken.Kulak@morganlewis.com
Brooke.Mcglenn@morganlewis.com
(Counsel for PECO)



Erin K. Fure
Assistant Small Business Advocate
Attorney ID No. 312245