

Legal Department  
2301 Market Street / S23-1  
Philadelphia, PA 19103

Direct Dial: 215.841.6863

July 10, 2019

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor  
Harrisburg, PA 17120

**Re: Petition of PECO Energy Company for a Temporary Waiver of 52 Pa.  
Code § 56.97(a) To Allow Customers to Establish Payment Agreements  
Through an Automated Interactive Voice Response System  
Docket No. P-2015-2467894**

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Dear Secretary Chiavetta:

*PECO's Petition to Withdraw* is attached for filing.

Very truly yours,



Ward L. Smith  
Counsel for PECO Energy Company

WS/adz  
Enclosures

Cc: Certificate of Service

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of PECO Energy Company for a :  
Temporary Waiver of 52 Pa. Code § 56.97(a) :  
To Allow Customers to Establish Payment :  
Agreements Through an Automated Interactive : Docket No. P-2015-2467894  
Voice Response System :

CERTIFICATE OF SERVICE

I, Ward L. Smith hereby certify that on July 10, 2019, I served a copy of PECO Energy Company's *Petition to Withdraw* in the above matter, upon all interested parties via overnight delivery to:

Tanya J. McCloskey  
Office of Consumer Advocate  
555 Walnut Street  
Forum Place, 5<sup>th</sup> Floor  
Harrisburg, PA 17101-1923

Bureau of Investigation & Enforcement  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor West  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Office of Small Business Advocate  
Commerce Building  
300 North Second Street  
Suite 1102  
Harrisburg, PA 17101

Dated: July 10, 2019



Ward L. Smith  
Counsel for PECO Energy Company  
2301 Market Street, S23-1  
Philadelphia, PA 19103  
Phone: (215) 841-6863  
Fax: 215.568.3389  
[Ward.Smith@exeloncorp.com](mailto:Ward.Smith@exeloncorp.com)

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Petition of PECO Energy Company for a** :  
**Temporary Waiver of 52 Pa. Code § 56.97(a)** :  
**To Allow Customers to Establish Payment** : **Docket No. P-2015-2467894**  
**Agreements Through an Automated Interactive** :  
**Voice Response System** :

**PETITION OF PECO ENERGY COMPANY TO WITHDRAW AS MOOT ITS  
PENDING PETITION FOR AN EXTENSION AND EXPANSION OF ITS TEMPORARY  
WAIVER OF 52 PA CODE §56.97(a)**

In 2015, PECO Energy Company (“PECO” or the “Company”) sought a temporary waiver of 52 Pa. Code § 56.97(a) to allow customers to establish payment arrangements through an automated Interactive Voice Response (“IVR”) system. On April 9, 2015, the Commission granted PECO’s request for a period ending on May 31, 2019.

In its April 9, 2015 Order, the Commission stated (p. 6) that it anticipated that it would “address market-wide consideration of payment waivers through utility websites and IVR systems in a separate proceeding” and (p. 8, Ordering Paragraph 8) “[t]hat PECO Energy may request an extension of this waiver of 52 Pa. Code Section 56.97(a) before the expiration of the waiver granted by this Order unless a blanket waiver or amendment of Commission regulation has been adopted by the Commission in the interim.”

The Commission initiated the market-wide proceeding in Docket No. L-2015-2508421 (Rulemaking to amend the provisions of 52 Pa. Code, Chapter 56 . . . ). In a Final Rulemaking Order issued on February 28, 2019, the Commission amended 52 Pa. Code §56.97(a) so as to allow utilities to use both their IVR systems and their websites to enter into payment

arrangements with customers. Those regulations were to “become effective upon publication in the Pennsylvania Bulletin.”

On April 1, 2019, PECO filed a Petition for an Extension and Expansion of its Temporary Waiver. In a nutshell, PECO wished to avoid any timing gap between the scheduled expiration of its waiver on May 31, 2019, and subsequent publication of the Commission’s rulemaking in the Pa. Bulletin.

As matters developed, the Commission’s rulemaking was published in the Pennsylvania Bulletin on June 1, 2019. 49 Pa. B. 2815. Therefore, no coverage gap existed, and by that Pennsylvania Bulletin publication, PECO’s Petition for an Extension was rendered moot.

No party contested PECO’s initial April 1, 2019 Petition for an Extension. 52 Pa. Code §1.82(a) describes the procedure for withdrawal of an uncontested pleading:

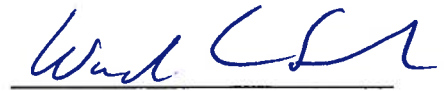
A party that desires to terminate an uncontested matter or proceeding before final decision by the Commission or otherwise desires to withdraw a submittal or pleading, shall file a petition for leave to withdraw the appropriate document. If no party objects to the petition within 10 days of service, the matter may be stricken by the Commission or by the presiding officer. If upon review the presiding officer or the Commission determines that the public interest requires continuation of the proceedings, the petition will be denied and the staff may be directed to participate.

PECO served its initial Petition for an Extension on the statutory parties (no party responded or contested) and is serving this Petition to Withdraw on the statutory parties. PECO does not anticipate that any party will object to withdrawal of its pending Petition for an Extension. PECO therefore requests that, if no party objects to this Petition to Withdraw within 10 days of service, PECO’s Petition for an Extension be stricken as moot.

**Conclusion**

PECO respectfully requests that the Commission issue an Order striking PECO's pending Petition for an Extension.

Respectfully submitted,



Ward L. Smith (I.D. #47670)  
Assistant General Counsel  
PECO Energy Company  
2301 Market Street  
S23-1  
Philadelphia, PA 19103  
215-841-6863  
ward.smith@exeloncorp.com