May 10, 2021

Via Email

Secretary Rosemary Chiavetta
Pennsylvania Public Utility Commission
400 North Street, Filing Room
Harrisburg, PA 17120

Re: Pa. PUC v. PECO Energy Company, Docket No. R-2021-3024601
Prehearing Memorandum of CAUSE-PA

Dear Secretary Chiavetta,

Please find the **Prehearing Memorandum of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA)** for filing in the PECO Energy Company rate proceeding at R-2021-3024601.

Pursuant to the Commission's Emergency Order issued on March 20, 2020, and as indicated on the attached Certificate of Service, service on the parties was accomplished by email only.

Respectfully,

Elizabeth R. Marx, Esq.
Counsel for CAUSE-PA

CC: Certificate of Service

118 Locust Street, Harrisburg, PA 17101 | 717.236.9486 (p) | 717.233-4088 (f) | pulp@palegalaid.net

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission, et al.	:	
	:	
v.	:	Docket No. R-2021-3024601
	:	
PECO Energy Company	:	

PREHEARING MEMORANDUM OF THE COALITION FOR AFFORDABLE UTILITY SERVICES AND ENERGY EFFICIENCY IN PENNSYLVANIA

PENNSYLVANIA UTILITY LAW PROJECT
Counsel for CAUSE-PA
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May 10, 2021

On May 6, 2021, a Prehearing Conference Order was issued by Administrative Law Judge Marta Guhl setting a telephonic prehearing conference for Tuesday, May 11, 2021 at 10 a.m., and requiring parties to file a Prehearing Memorandum no later than 3:00 pm on Monday, May 10, 2021. In accordance with that Order, the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania ("CAUSE-PA"), through its counsel at the Pennsylvania Utility Law Project, hereby files this Prehearing Conference Memorandum.

I. Background

On March 30, 2021, PECO Energy Company filed a request for a general rate increase for its electric operations, proposed Tariff Electric – Pa. P.U.C. No. 7, the Company's annual distribution revenue of approximately $246 million. The monthly bill for a typical residential customer using 700 kWh of electricity would increase by $9.68 from $100.29 to $109.97 or by 9.65%.

On April 12, 2021, CAUSE-PA filed a Petition to Intervene and Answer, requesting full intervenor status as an active party to the proceeding.

II. Issues to be Presented

Continued delivery of safe, affordable electric service is of critical importance to the safety, welfare, and economic stability of all Pennsylvanians – particularly those with limited financial means. In recognition of this fact, the law requires that electric services be universally available at an affordable rate, and that all universal service programs be developed, maintained, and appropriately funded to ensure such affordability. See 66 Pa. C.S. § 2203(3), (8). Thus, in addition to compliance with sound rate making principles, including the requirement that rates be just and reasonable, PECO must also ensure that its rates and tariff comply with universal service

requirements. See 66 Pa. C.S. § 2203(8). In the event the Commission approves any electric distribution rate increase, it should condition approval on PECO's agreement to perform such actions as are necessary to ensure service remains universally accessible to those who reside in PECO's service territory and in compliance with all applicable sections of the Public Utility Code, Commission regulations and policy, and prior settlement agreements.

CAUSE-PA has conducted an initial review of PECO's proposed tariff changes and testimony, and opposes PECO's request on the grounds that the proposed rate increase and tariff changes may result in unjust and unreasonable rates that would impose severe financial hardship on low and moderate income residential customers. CAUSE-PA identifies the following specific issues of concern, which it intends to address in this proceeding, though it reserves the right to raise additional issues which may arise through the course of this proceeding:

i. The conformity to law and the effect of PECO's rate filing and proposed rate increase on low income households.
ii. The effect of PECO's proposed fixed residential customer charge on low income households, and the ability to achieve appreciable bill savings through adoption of energy efficiency measures.
iii. The effect of PECO's rate filing and proposed rate increase on low income households enrolled in or eligible for PECO's Universal Service Programs, and the adequacy of those programs in delivering universally accessible electric service.
iv. The justness and reasonableness of PECO's electric vehicle infrastructure proposals.

III. Witnesses and Testimony

CAUSE-PA, jointly with the Tenant Union Representative Network, intends to co-sponsor testimony of the following expert witness in this matter, and reserves the right to call additional witnesses as may be warranted upon notice to Your Honor and parties:

Harry S. Geller, Esq.
c/o Pennsylvania Legal Aid Network
118 Locust Street
Harrisburg, PA 17101
hgellerpulp@palegalaid.net

Mr. Geller will address the issues identified above, as well as any other relevant issues that may arise through the course of this proceeding.

IV. Discovery

CAUSE-PA is actively working with the parties to arrive at mutually agreeable discovery modifications.

V. Settlement

CAUSE-PA is willing and ready to engage in settlement discussions at any time in an attempt to resolve or narrow the issues in this proceeding, with any and all parties, and encourages the parties to set aside time early in the process for meaningful settlement discussions to commence.

VI. Service on CAUSE-PA

CAUSE-PA is represented by the attorneys at the Pennsylvania Utility Law Project. All documents should be served on CAUSE-PA as follows:

Elizabeth R. Marx, Esq.
John W. Sweet, Esq.
Ria M. Pereira, Esq.
PENNSYLVANIA UTILITY LAW PROJECT
118 Locust Street
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Telephone: 717-236-9486
Facsimile: 717-233-4088
E-mail: pulp@palegalaid.net

VII. Representation of CAUSE-PA at Prehearing Conference

CAUSE-PA will be represented by John Sweet, Esq. at the Prehearing Conference.

VIII. Litigation Schedule

CAUSE-PA is actively working the parties to arrive at a mutually agreeable schedule for litigation. Should the parties fail to reach an agreement prior to the Prehearing Conference, CAUSE-PA proposes adoption of the following schedule:

Prehearing conference	May 11, 2021
Public Input Hearings	June 8-11, 2021
Non-Company Direct	June 28, 2021
Settlement Conference (1)	July 9, 2021
Rebuttal Testimony	July 22, 2021
Settlement Conference (2)	July 26, 2021
Surrebuttal Testimony	August 5, 2021
Oral Rejoinder Outline	August 9, 2021
Hearings/Rejoinder	August 11, 12, and 13, 2021
Close of Record	August 13, 2021
Main Briefs	September 2, 2021
Reply Briefs	September 13, 2021
Recommended Decision	October 15, 2021

WHEREFORE, CAUSE-PA respectfully submits this Prehearing Conference Memorandum.

Respectfully submitted,

PENNSYLVANIA UTILITY LAW PROJECT
Counsel for CAUSE-PA

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Pennsylvania Public Utility Commission, et al.	:	
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Certificate of Service

I hereby certify that I have this day served copies of the **Prehearing Memorandum of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania** upon the parties of record in the above captioned proceeding in accordance with the requirements of 52 Pa. Code § 1.54 in the manner and upon the persons listed below.

VIA Email and First Class Mail

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Respectfully Submitted,
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