



May 10, 2021

VIA eFiling

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

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Prehearing Memorandum of the Tenant Union Representative Network in the above captioned matter.

This memorandum is being served via email as indicated on the attached Certificate of Service.

Sincerely,

Josie B. H. Pickens, Esquire
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Enclosures

Cc: Certificate of Service

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	R-2021-3024601
	:	
	:	
Office of Consumer Advocate	:	C-2021-3025195
Office of Small Business Advocate	:	C-2021-3025083
Philadelphia Area Industrial Energy	:	
Users Group	:	C-2021-3025657
	:	
	:	
v.	:	
	:	
PECO Energy Company-Electric Division	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served copies of the Prehearing Memorandum of the Tenant Union Representative Network 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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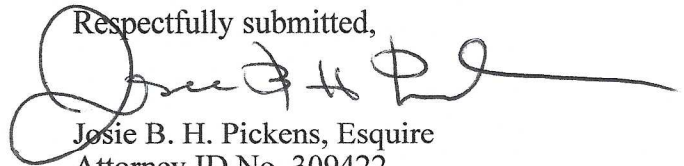
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Respectfully submitted,



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	:	
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Prehearing Memorandum of Tenant Union Representative Network

Tenant Union Representative Network (“TURN”),¹ through counsel Community Legal Services, Inc., hereby submit the following Prehearing Memorandum pursuant to the Prehearing Conference Order of May 6, 2021.

I. History of the Proceeding.

On March 30, 2021, PECO Energy Company (PECO) filed a request with the PUC to increase the electric distribution base rates charged to PECO’s residential, commercial and industrial customers. In its filing, PECO proposed to increase its distribution rates by approximately \$246 million per year, effective May 29, 2021. If PECO’s rate request is approved, the average bill of a residential customer using 700 kilowatt hours (kWh) per month will increase by 9.65% or from \$100.29 per month to \$109.97 per month. As part of its request,

¹ The May 6, 2021 Prehearing Conference Order incorrectly refers to a petition to intervene filed by TURN et al. Order at Para 2(f). TURN is not joined by other parties in its petition to intervene.

PECO proposes to increase its fixed residential customer charge from \$9.99 per month to \$13.49 per month.

On April 22, 2021, TURN filed a petition to intervene stating its intent to examine, in this proceeding, the justness and reasonableness of PECO's proposed rates; the effectiveness of PECO's efforts to improve customer service; the economic effect of the proposed rates on moderate and low income tenants; and the effectiveness of PECO's universal service programs in mitigating the impact of PECO's high rates on low-income customers.

On May 6, 2021, the Public Utility Commission suspended the implementation of the proposed rates by operation of law until December 29, 2021 to allow for an investigation into the lawfulness, justness, and reasonableness of the rates, rules, and regulations contained in PECO's filing.

Also on May 6, 2021, Administrative Law Judge Marta Guhl issued a Prehearing Conference Order directing that prehearing conference memoranda be submitted by Monday, May 10, 2021 before 3:30 p.m.

II. Issues for Consideration

A. Issues

TURN has preliminarily reviewed PECO's rate filing, and generally objects to any rate increase to the extent that the proposed increase could result in unjust and unreasonable rates and impose severe hardship on low and moderate income residential customers and consumers, including those enrolled in PECO's Customer Assistance Program. While TURN is still reviewing PECO's proposal, TURN has tentatively identified the following issues:

1. The justness and reasonableness of PECO's proposed rates, especially in light of the ongoing economic crisis and uncertainty associated with the COVID-19 pandemic;
2. The effectiveness of PECO's efforts to improve customer service in light of its rate request;
3. The economic effect of the proposed rates on moderate and low income tenants;
4. The effectiveness of PECO's universal service programs in mitigating the impact of PECO's increased rates on low-income customers;
5. Whether PECO's proposed rate design, including its proposal to increase residential fixed charge to \$13.49 is just and reasonable, including:
 - a. The impact PECO's proposed rate design will have on low and moderate income customers; and
 - b. How an increase to the residential fixed charge will impact the ability of low and moderate income customers to reduce their energy costs through conservation.
6. Whether PECO's rates and tariff comply with the billing, collections, and termination standards, as well as the universal service requirements contained in the Public Utility Code.

TURN anticipates that other issues may come up during the course of this proceeding and reserves the right to examine any other issues that arise in the course of this proceeding.

B. Witnesses and Testimony

TURN intends to present the following witness to testify in this matter. TURN reserves the right to call additional or substitute witnesses as may be warranted upon proper notice to Your Honor and the parties:

Harry S. Geller, Esq.
118 Locust Street
Harrisburg, PA 17101
717-576-2282
hgellerpulp@palegalaid.net

Mr. Geller will appear as a witness for both TURN and CAUSE-PA. Any testimony by Mr. Geller will be jointly submitted on behalf of TURN and CAUSE-PA. Mr. Geller may address some of the issues identified above and any other issues that may arise in the course of this proceeding.

C. Discovery

TURN will work with the parties to develop appropriate modifications to discovery rules that support the prompt and robust exchange of all relevant information.

D. Settlement

TURN is willing and ready to engage in settlement discussions in an attempt to resolve or narrow the issues in this proceeding, with any and all parties, and encourage the parties to engage in settlement early in the process.

E. Schedule for Testimony, Hearings, and Briefs

TURN has engaged in discussions with the other parties regarding a litigation schedule and timing of hearings. TURN supports the proposed schedule set forth by PECO in its prehearing memorandum.

F. Service on TURN

TURN will be represented in this proceeding by Josie B. H. Pickens, Esquire, Joline R. Price, Esquire, Kintéshia S. Scott, Esquire, and Robert W. Ballenger, Esquire who will accept electronic delivery of documents.

Josie B. H. Pickens, Esq.
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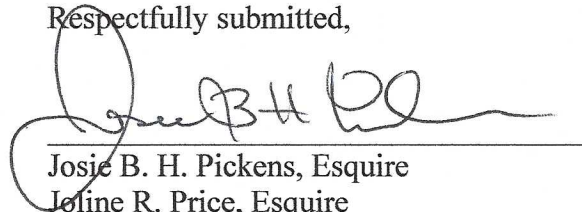
Pursuant to Paragraph 7 of the Prehearing Order, TURN designate Josie B. H. Pickens, Esq. to appear on the official service list for this proceeding. Ms. Pickens will represent TURN at the prehearing conference.

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III. Conclusion

TURN respectfully requests that this memorandum be entered into the record of this proceeding.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Josie B. H. Pickens", written over a horizontal line.

Josie B. H. Pickens, Esquire

Joline R. Price, Esquire

Kintéshia S. Scott, Esquire

Robert W. Ballenger, Esquire

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