**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission : R-2021-3024601

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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 :

PREHEARING ORDER #2

On March 30, 2021, PECO Energy Company-Electric Division (PECO or Company) pursuant to Section 1308 of the Pennsylvania Public Utility Code, 66 Pa.C.S. § 1308, filed a proposed Tariff Electric – Pa. P.U.C. No. 7 (Tariff No. 7). Tariff No. 7 sets forth proposed rates designed to produce an increase in the Company’s annual distribution revenue of approximately $246 million based on data for a fully projected future test year ending December 31, 2022. This request would result in an increase in residential customer’s bills using 700 kWh from $100.29 to $109.97/month (9.65%). Tariff No. 7 contains revisions in, additions to, and deletions from, certain Rules and Regulations, rate schedules and riders in the Company’s currently effective tariff, and an effective date of May 29, 2021.

On May 6, 2021, the Pennsylvania Public Utility Commission (Commission or PUC) ordered the proposed Tariff Electric- Pa. P.U.C. No. 7 suspended by operation of law until December 29, 2021, unless otherwise directed by Order of the Commission.

The Commission’s Bureau of Investigation and Enforcement (I&E) filed a Notice of Appearance. Three formal complaints have been filed: The Office of Consumer Advocate (OCA); the Office of Small Business Advocate (OSBA); and the Philadelphia Area Industrial Energy Users Group (PAIEUG).

In addition, the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA), Tenant Union Representative Network (TURN), the Clean Energy Advocates, Calpine Retail Holdings LLC (Calpine), Retail Energy Supply Association and NRG Energy, Inc. (RESA/NRG) and the National Railroad Passenger Corporation (Amtrak) filed Petitions seeking to intervene in this proceeding.[[1]](#footnote-1)

The matter was assigned to the Office of Administrative Law Judge (OALJ), Administrative Law Judge Marta Guhl, to schedule such hearings as necessary to develop a record in this proceeding.

A Prehearing Conference Order was issued on May 6, 2021, scheduling a telephonic prehearing conference on Tuesday, May 11, 2021, at 10:00 a.m. The Prehearing conference was held as scheduled. Participating were:

PECO Jennedy Johnson, Esq.

OCA Laura Antinucci, Esq.

I&E Carrie Wright, Esq

OSBA Erin Fure, Esq.

PAIEUG Teresa Harrold, Esq.

TURN Josie Pickens, Esq.

CAUSE-PA John Sweet, Esq.

AMTRAK Robert Weishaar, Jr., Esq.

CALPINE John Lushis, Esq.

James Laskey, Esq.

CLEAN ENERGY ADVOCATES Devin McDougall, Esq.

RESA/NRG Sarah Stoner, Esq.

On May 18, 2021, I issued Prehearing Order No. 1 which memorialized the proceedings at the prehearing conference on May 11, 2021.

This Order addresses the Petitions to Intervene of Walmart, Inc. and ChargePoint, Inc. and multiple Motions for *Pro Hac Vice* Admission by the parties.

ORDER

THEREFORE,

IT IS ORDERED:

1. That the Petition to Intervene of Walmart Inc. filed on May 14, 2021, is granted.

2. That the Petition to Intervene of ChargePoint Inc. filed on May 18, 2021, is granted.

3. That the parties of record as of this date are PECO, I&E, OCA, OSBA, PAIEUG, CAUSE-PA, TURN, RESA/NRG, the Clean Energy Advocates, Amtrak, Calpine, Walmart and ChargePoint.

4. That the Motion for *Pro Hac Vice* Admission of James H. Laskey, Esquire, filed by Calpine on May 19, 2021, is granted.

5. That the Motion for *Pro Hac Vice* Admission of Rebecca Barker, Esquire, filed by the Clean Energy Advocates on May 26, 2021, is granted.

6. That the Motion for *Pro Hac Vice* Admission of Daniel Franz, Esquire, filed by the Clean Energy Advocates on May 26, 2021, is granted.

7. That the Motion for *Pro Hac Vice* Admission of Melissa Birchard, Esquire, filed by ChargePoint on May 18, 2021, is granted.

8. That parties to be officially served are listed on the attached service list. Please direct any changes, corrections or additions to Athena DelVillar, Legal Assistant, at [sdelvillar@pa.gov](mailto:sdelvillar@pa.gov).

9. That the e-mail distribution list is as follows. Any changes or corrections should be communicated to me, via e-mail (mguhl@pa.gov) as soon as possible. Please include my legal assistant, Ms. Athena DelVillar (sdelvillar@pa.gov), on anything you send to me.

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Date: June 8, 2021 /s/

Marta Guhl

Administrative Law Judge

**R-2021-3024601 - PA PUBLIC UTILITY COMMISSION v. PECO ENERGY COMPANY -ELECTRIC DIVISION**

*Revised: 5/19/2021*

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1. Walmart Inc. and ChargePoint Inc. filed Petitions to Intervene after the prehearing conference held on May 11, 2021. [↑](#footnote-ref-1)