**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

Richard Regnier : C-2021-3026285

Richard C. Simon : C-2021-3026198

Susan Towers : C-2021-3027456

:

v. :

:

PECO Energy Company-Electric Division :

**BRIEFING ORDER**

The evidentiary hearing was held as scheduled on August 11, 2021. During the hearing, PECO, I&E, OCA, OSBA, PAIEUG, TURN, CAUSE-PA, the Clean Energy Advocates, Amtrak, Walmart, ChargePoint, and RESA/NRG each moved to have their witnesses’ testimony and exhibits, along with hearing exhibits and stipulations entered into the record. As there were no objections, all parties’ testimony and/or exhibits were admitted into the record during the hearing. Calpine and the University of Pennsylvania did not participate in the hearing as they did not serve pre-filed testimony in this case. The hearing dates on August 12, 2021 and

August 13, 2021 were cancelled.

The record will be held open until September 13, 2021, when the parties’ Reply Briefs are due. This Briefing Order memorializes the instructions for the briefing in this case.

ORDER

THEREFORE,

IT IS ORDERED:

1. That the parties must provide the presiding officer with a status update on settlement discussions on or before Friday, August 27, 2021;
2. That the presiding officer is available any time before August 27, 2021, to assist the parties with settlement negotiations, if requested by the parties;
3. That if the parties resolve the issues in this case that results in a full or partial settlement, then the settlements documents and statements in support are due on or before Friday, September 3, 2021;
4. That if there is any party not joining in the settlement, in whole or in part, must submit a letter on or before Friday, September 3, 2021 indicating their position on the settlement;
5. That Main Briefs of the parties on any unresolved issues are due on or before Friday, September 3, 2021;
6. That the Reply Briefs are due on or before Monday, September 13, 2021;
7. That the briefs must substantially comply with the Commission's regulations at 52 Pa.Code §§ 5.501, 5.502;
8. That the briefs must contain: (a) a concise statement or counter-statement of the case; (b) an argument, with sufficient citations to record evidence, preceded by a summary; (c) a conclusion with requested relief; (d) proposed Findings of Fact, together with page references to statements of testimony and exhibits; (e) proposed Conclusions of Law, together with legal citations and (f) proposed Ordering Paragraphs;
9. That the parties must use the Rate Case Tables provided via email on August 6, 2021, if necessary to address unresolved issues in this case;
10. That the parties must use a common outline for Main and Reply Briefs;
11. **That the parties are limited to 130 pages for the Main Briefs and 80 pages for the Reply Briefs**;
12. **That the parties shall file the original copies of the Main Briefs with the Commission no later than 4:00 p.m. on the date due**;
13. **That the parties shall file the original copies of the Reply Briefs with the Commission no later than 2:00 p.m. on the date due**;
14. That any brief not filed and served on or before the date set forth above will not be accepted except by special permission;
15. That pursuant to 52 Pa.Code § 5.412(a), the parties are required, within thirty (30) days after the final hearing, to either eFile with or provide to the Secretary’s Bureau a Compact Disc (CD) containing all testimony and exhibits identified and admitted into the record during the proceeding;
16. That the parties are advised not to include any extra-record evidence in their briefs;
17. That if a brief contains a citation to an unreported decision which is not available on LEXIS or the Commission’s website, a copy of that unreported decision must be appended to the brief;
18. That the parties are reminded that they are to e-mail me a copy of their as-filed briefs in a WORD-formatted document in addition to ADOBE or other compatible PDF format; and
19. That the Petition to Intervene filed by the University of Pennsylvania on June 30, 2021 is granted.

Date: August 18, 2021 /s/

Marta Guhl

Administrative Law Judge