

**PENNSYLVANIA PUBLIC UTILITY COMMISSION
HARRISBURG, PENNSYLVANIA 17120**

**Petition of Duquesne Light
Company for Implementation
of the Percentage of Income
Payment Plan Customer
Assistance Program as
Proposed on January 6, 2020**

**Public Meeting April 14, 2022
3008227-BCS
Docket Nos. M-2019-3008227
P-2020-3022770
P-2020-3023448
M-2016-2534322**

**Petition of Duquesne Light
Company for Implementation
of the Percentage of Income
Payment Plan Customer
Assistance Program**

**Duquesne Light Company
Universal Service and Energy
Conservation Plan for 2017-
2019 Submitted in Compliance
with 52 Pa. Code § 54.74**

**MOTION OF
VICE CHAIRMAN JOHN F. COLEMAN, JR.**

On November 19, 2020, the Pennsylvania Public Utility Commission (Commission) entered a Tentative Order, withholding approval of the Proposed 2020-2025 Universal Service and Energy Conservation Plan (Proposed 2020 USECP) for the Duquesne Light Company (Duquesne), until review of requested supplemental information and stakeholder comments. On December 11, 2020, Duquesne filed its Supplemental Information. The Coalition for Affordable Utility Service and Energy Efficiency in Pennsylvania (CAUSE-PA), the Office of Consumer Advocate (OCA), and Duquesne individually filed comments and/or reply comments. Duquesne, CAUSE-PA, and OCA also filed a Joint Petition for Settlement on August 13, 2021.

Duquesne and various stakeholders also reached a settlement affecting universal service matters in *Pa. PUC, et al., v. Duquesne Light Company*, Docket Nos. R-2021-3024750, *et al.*, Duquesne's base rate case (BRC). The BRC settlement was approved by the Commission by order entered on December 16, 2021. The Commission has considered the supplemental information, comments, reply comments, and Joint Petition for Settlement filed by the parties. I am in agreement with most aspects of the proposed Order and will be moving that we adopt it with one modification.

The proposed order requires that Duquesne submit a Revised 2020 USECP that will be subject to an Exception and Reply Exception period, and that Revised USECP and any Exceptions will be addressed at a future Public Meeting. This practice for the review and approval for Revised USECPs has been in place at the Commission for about five years. Prior to this change, the Commission directed that a public utility serve a revised USECP, or compliance filing, with the Bureau of Consumer Services (BCS) for review. The Commission did not utilize an exception and reply exception period, and there was no Public Meeting vote on the USECP compliance filing.¹ If BCS identified an error in the compliance filing, a correction could be directed through the issuance of a Secretarial Letter.

The Commission does, from time to time, adjust its procedures for the review and disposition of the matters that come before it. In the case of USECPs, the Commission's regulations and enabling legislation do not identify a specific process that must be utilized for the review and approval of these plans. While it was reasonable for the Commission to adopt and try this longer process, in my view it has resulted in an expenditure of Commission and utility resources without a corresponding benefit to justify its continued use. I find that BCS is in the best position to determine whether a Revised USECP is in compliance with a Commission Order, and that the parties to the proceeding are free to file a protest to a Revised USECP if they deem it necessary. Therefore, I will move that the Commission return to its prior practice of directing that public utilities serve Revised USECPs adopted through final Orders on BCS for compliance review. The Commission will cease the use of an exception and reply exception period for Revised USECPs, and will not require an additional Public Meeting vote for these compliance filings.

THEREFORE, I MOVE THAT:

1. The proposed Order is adopted, as modified, by this Motion.
2. The Law Bureau prepare an Order consistent with this Motion.

Date: April 14, 2022



JOHN F. COLEMAN, JR., VICE CHAIRMAN

¹ See *PECO Energy Company Universal Service and Energy Conservation Plan for 2016-2018 Submitted in Compliance with 52 Pa. Code §§ 54.74 and 62.4*, Docket No. M-2015-2507139 (Order entered August 11, 2016); *West Penn Power Universal Service and Energy Conservation Plan for 2015-2018, et al.*, Docket Nos. M-2014-2407728, M-2014-2407729, M-2014-2407730, M-2014-2407731 (Order entered May 19, 2015).