



July 11, 2022

*Via Efiling*

Rosemary Chiavetta, Secretary  
PA Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**Re: PECO Energy Company's 2019 – 2024 Universal Service and Energy Conservation Plan, Docket No. M-2018-3005795**

**Joint Letter of TURN and CAUSE-PA in lieu of Answer to PECO Energy Company's Petition for Rehearing, or, in the alternative, Rescission and Amendment of the Commission's Order entered June 16, 2022**

Dear Secretary Chiavetta:

On July 1, 2022, PECO Energy Company (PECO) filed a Petition for Rehearing, or in the alternative, Rescission and Amendment of the Commission's Order entered June 16, 2022 (Petition) in the above referenced docket. On June 16, 2022, the Public Utility Commission (Commission) entered an Order approving PECO's 2019-2024 Universal Service and Energy Conservation Plan (USECP), with certain modifications. In its Petition, PECO seeks an extension of time, until December 16, 2022, to implement three of the changes approved by the Commission: (1) the transition of its Customer Assistance Program (CAP) from the Fixed Credit Option (FCO) to a Percentage of Income Payment Plan (PIPP) model; (2) implementation of CAP final bill requirements; and (3) implementation of CAP reenrollment requirements. Petition at 11.

The Tenant Union Representative Network (TURN) and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA) (collectively, "Low-Income Advocates"), submit this letter in lieu of a formal Answer to PECO's Petition. The Low-Income Advocates have been active participants in this proceeding, and are supportive of the Commission's directives. The Low-Income Advocates want to see the Commission-ordered changes to PECO's CAP implemented as expediently as possible. As set forth below, we submit that the Commission should deny rehearing on this matter as unnecessary, and grant PECO's Petition to the extent necessary to allow PECO the limited extension of time needed to properly implement the changes PECO references in its Petition.

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### The Commission Should Deny PECO’s request for Rehearing

The Low-Income Advocates submit that rehearing in this matter would unnecessarily delay implementation of critical changes to PECO’s Customer Assistance Program. PECO first filed its proposed USECP on November 1, 2018 – almost four years ago. See Petition at ¶ 1. It then filed amended plans in June and September of 2020, proposing to change the design of its CAP to a Percentage of Income Payment Plan (PIPP) and, in the interim, to use the CAP Policy Statement energy burdens in its current FCO CAP design while implementing the PIPP. Petition at ¶¶ 4-5. The Low-Income Advocates strongly supported PECO’s proposed transition to a PIPP CAP design and implementation of the reduced energy burden standards contained in the Commission’s CAP Policy Statement, as discussed extensively in the Comments and Reply Comments at the instant docket.<sup>1</sup>

PECO suggests a rehearing to introduce additional evidence that explains why it seeks an extension of time to implement the new CAP design as well as the directives from the Commission regarding CAP final billing and CAP reenrollment. See Petition at ¶¶ 14-38. In its Petition, PECO points to specific IT limitations that constrain its ability to implement these directives within the timeframes of the Commission’s June 16<sup>th</sup> Order. In the context of the already lengthy period of time it has taken the Commission to approve PECO’s USECP, PECO’s requested timeframe for extension is reasonable. The Low-Income Advocates do not believe that a rehearing is necessary to review PECO’s limited request, and instead urge the Commission to act quickly such that PECO can implement the required changes to its CAP as quickly as possible. As such, the Low-Income Advocates submit that the Commission should deny PECO’s request for a rehearing.

### The Commission Should Grant PECO’s Request for An Extension of Time

The Low-Income Advocates strongly support implementation of PECO’s new USECP as quickly as possible. However, the Low-Income Advocates do not oppose PECO’s request for a limited extension of time to implement specific changes as outlined in its Petition. As such, the Low-Income Advocates request that the Commission grant PECO’s request insofar as necessary to allow PECO the limited extension to implement the CAP PIPP, the CAP final bill requirements, and the CAP reenrollment requirements – consistent with the timeframes identified in its Petition.

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<sup>1</sup> See PECO Energy Company Universal Service and Energy Conservation Plan for 2019-2024, Docket Nos. M-2018-3005795, P-2020-3020727, P-2020-3022154, Joint Comments of TURN and CAUSE-PA (July 20, 2021); PECO Energy Company Universal Service and Energy Conservation Plan for 2019-2024, Docket Nos. M-2018-3005795, P-2020-3020727, P-2020-3022154, Joint Reply Comments of TURN and CAUSE-PA (August 25, 2021). In those Comments, the Low-Income Advocates supported the change to a PIPP, but opposed PECO’s proposal to retain the outdated energy burdens for the 101-150% Federal Poverty Level tier. The Commission’s June 16<sup>th</sup> Order required PECO to use the current CAP Policy Statement energy burdens for all CAP enrollees, which the Low-Income Advocates support.



Due to the ongoing COVID-19 pandemic, a copy of this letter is being served via email, as indicated on the attached Certificate of Service.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joline R. Price'.

Joline R. Price, Esquire  
Attorney ID No. 315405  
*Counsel for TURN*

A handwritten signature in blue ink, appearing to read 'Elizabeth R. Marx'.

Elizabeth R. Marx, Esquire  
Attorney ID No. 309014  
*Counsel for CAUSE-PA*

*Enclosures*

Cc: Certificate of Service  
Joseph Magee, Bureau of Consumer Services, [jmagee@pa.gov](mailto:jmagee@pa.gov)  
Louise Fink-Smith, Esq., Law Bureau, [finksmith@pa.gov](mailto:finksmith@pa.gov)

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

PECO Energy Company's 2019- 2024 Universal : Docket Nos. M-2018-3005795  
Service and Energy Conservation Plan : P-2020-3020727

**CERTIFICATE OF SERVICE**

I hereby certify that I have, on this day, served copies of the **Joint Letter in lieu of Answer of the Tenant Union Representative Network (TURN) and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA) (collectively, Low Income Advocates) PECO's Petition for Rehearing, or, in the alternative, Rescission and Amendment of the Commission's Order Entered June 16, 2022**, in the above captioned matter upon the following persons and in accordance with the requirements of 52 Pa. Code § 1.54.

| <b>SERVICE BY EMAIL ONLY</b>   |  |
|--|--|
| Jennedy S. Johnson, Esq.<br>PECO Energy Company<br>2301 Market Street/ S23-1<br>Philadelphia, PA 19103<br><a href="mailto:Jennedy.Johnson@exeloncorp.com">Jennedy.Johnson@exeloncorp.com</a>   | Richard Kanaskie, Esq.<br>Bureau of Investigation and Enforcement<br>Pennsylvania Public Utility Commission<br>P.O. 3265<br>Harrisburg, PA 17105-3265<br><a href="mailto:rkanaskie@pa.gov">rkanaskie@pa.gov</a>  |
| Darryl A. Lawrence<br>Christy Appleby<br>Office of Consumer Advocate<br>555 Walnut Street<br>5th Floor, Forum Place<br>Harrisburg, PA 17101-1923<br><a href="mailto:CAappleby@paoca.org">CAappleby@paoca.org</a><br><a href="mailto:DLawrence@paoca.org">DLawrence@paoca.org</a> | Steven C. Gray<br>Office of the Small Business Advocate<br>555 Walnut Street<br>1 <sup>st</sup> Floor, Forum Place<br>Harrisburg, PA 17101<br><a href="mailto:sgray@pa.gov">sgray@pa.gov</a>   |
| Elizabeth R. Marx<br>Ria Pereira<br>John Sweet<br>Pennsylvania Utility Law Project<br>118 Locust Street<br>Harrisburg, PA 17101<br><a href="mailto:pulp@pautilitylawproject.org">pulp@pautilitylawproject.org</a>  | Kenneth M. Kulak<br>Catherine G. Vasudevan<br>Morgan, Lewis & Bockius LLP<br>1701 Market Street<br>Philadelphia, PA 19103-2921<br><a href="mailto:Ken.kulak@morganlewis.com">Ken.kulak@morganlewis.com</a><br><a href="mailto:Catherine.vasudevan@morganlewis.com">Catherine.vasudevan@morganlewis.com</a> |

Respectfully submitted,



July 11, 2022

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