

Comments to the  
Pennsylvania Public Utility Commission  
on the Tentative Order in the matter of the

*Settlement Agreement in the Pennsylvania Commonwealth Court matter of Pennsylvania Public Utility Commission v. the Delaware Valley Regional Economic Development Fund, No. 491 MD 2018; Doc. Nos. M-2022-3033879, M-2010-2176183, R-00973953, P-00971265*

The Philadelphia Solar Energy Association (PSEA), a nonprofit, tax-exempt educational organization is pleased to offer these comments in the matter of the proposed Settlement Agreement between the Pennsylvania Public Utility Commission (PUC) and the Delaware Valley Regional Economic Development Fund (DVREDF).

Firstly, PSEA would like to thank the Commission for pursuing this action to recover the six million dollars (\$6,000,000) awarded to DVREDF in 1998 for the purpose of economic development with a job impact in the PECO territory. It would seem that DVREDF has made no such investments in the last twenty-five (25) years with these funds. As a result, the Commonwealth has been deprived of the positive economic development activity intended by the Commission.

When the PECO Restructuring Settlement Agreement was originally negotiated in 1998, the full 1/100<sup>th</sup> of a cent per kWh was to go to the Sustainable Development Fund (SDF) to support the development of the clean energy industry in Pennsylvania, specifically solar, wind, energy efficiency and other related technologies. In a surprising, last minute maneuver, suddenly 50% of the settlement amount was diverted to the Delaware Valley Regional Economic Development Fund (DVREDF) for unspecified economic development activities. Now, twenty five years later, the Commission finally has the opportunity to restore the funding for its original purpose.

The Philadelphia Solar Energy Association firmly believes that the full six million dollars should be transferred to the Sustainable Development Fund. That was the original intent of the PECO Restructuring Settlement Agreement. It is consistent with the decision and action taken for all the other regional sustainable energy funds in the other utility restructuring settlement agreements across the state. It will also produce the greatest public benefit.

While the other options listed in the Tentative Order: PECO's hardship fund, Universal Service Programs and PECO customer rate relief are all worthwhile uses, the parties to the 1998 restructuring case negotiated terms and received their full share of the funding. Only the environmentalists were short-changed. In addition, the other three options fail to comply with the intent of Paragraph 40 of the 1998 settlement agreement to support clean energy and

economic development, thus the other three options lie outside the intent of the restructuring settlement and Order.

In addition, the Sustainable Development Fund (SDF) has made very sound decisions and investments in a range of clean energy industries, playing a critical role in developing the solar, wind and energy efficiency industries in the Commonwealth. All three of these industries, but particularly solar and energy efficiency are very job intensive, and have created family sustaining jobs and careers for thousands of Pennsylvanians, including minority and low income Pennsylvanians. Thus by transferring the funds to the SDF, the failure of the DVREDF can finally be remedied.

The Commission might consider recommending or even requiring that the Sustainable Development Fund utilize these funds to directly benefit low income households and communities, to permanently reduce the energy burden of low income households. There are currently several low income solar programs in Pennsylvania, but they are very small and desperately need funding to get to scale.

This is a very critical time for clean energy industries in Pennsylvania. Unfortunately the Commonwealth has fallen way behind neighboring states in the development of its clean energy resources. Solar energy and energy efficiency can help to lower the cost of energy for all consumers, including low income consumers, while creating local jobs, strengthening grid resilience and reliability and enhancing energy independence in this time of volatile international energy markets, particularly for fossil fuels.

Thank you for this opportunity to comment.

Liz Robinson  
Executive Director  
Philadelphia Solar Energy Association