PENNSYLVANIA
PUBLIC UTILITY COMMISSION
400 North Street
Harrisburg, PA 17120

November 14, 2023

Stephanie Micek	:	
	:	
v.	:	C-2022-3031526
	:	
PECO Energy Company	:	

NOTICE

On November 4, 2020, the Pennsylvania Public Utility Commission (Commission) issued an Order at Docket No. M-2009-2092655 (*November 4, 2020 Order*) imposing a stay of certain formal complaint proceedings then-pending before the Commission involving challenges to electric distribution company (EDC) deployment of smart meter technology as being in violation of Section 1501of the Public Utility Code (Code), 66 Pa.C.S. § 1501. The *November 4, 2020 Order* also directed that the stay would apply to any new formal complaints filed with the Commission claiming that EDC deployment of smart meter technology was a violation of Section 1501, and that the stay would remain in place until it was lifted by further Commission action.

On August 16, 2022, the Supreme Court of Pennsylvania (Supreme Court) issued a consolidated opinion in *Povacz, et al. v. Pa. Public Utility Commission*, 280 A.3d 975 (Pa. 2022) (*Povacz II*) concluding that Act 129, codified at 66 Pa.C.S. § 2807(f), mandates smart meter deployment and requires the system-wide installation of smart meter technology by EDCs. Accordingly, the Supreme Court thereby affirmed the Commission's March 28, 2019 and May 9, 2019 Orders in *Maria Povacz v. PECO Energy Company,* C-2015-2475023 (*Maria Povacz*); *Laura Sunstein Murphy v. PECO*

Energy Company, C-2015-2475726 (*Laura Sunstein Murphy*); and *Cynthia Randall and Paul Albrecht v. PECO Energy Company*, C-2016-2537666 (*Cynthia Randall*).

On November 9, 2023, the Commission entered an order at Docket No. M-2009-209265 (*November 9, 2023 Order*) lifting the stay implemented by the *November 4, 2020 Order*. The above-captioned formal complaint proceeding was previously stayed by the *November 4, 2020 Order*. With this Notice, the Commission advises all parties to the above-captioned proceeding that the stay on this matter has been lifted, pursuant to the November *9, 2023 Order*.

As this matter is currently pending before the Commission's Office of Administrative Law Judge, the parties shall proceed accordingly pursuant to the Commission's regulations governing formal proceedings at 52 Pa. Code §§ 5.1-5.631, and as directed by the presiding Administrative Law Judge. To the extent that other relief is sought, the parties are referred to the Commission's regulations at Title 52 of the Pennsylvania Code.

BY THE COMMISSION,

Rosemary Chiavetta
Secretary