



COMMONWEALTH OF PENNSYLVANIA

April 16, 2024

**E-FILED**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, Pennsylvania 17120

**Re: Pennsylvania Public Utility Commission v. PECO Energy Company-Gas Division /  
Docket No. R-2024-3046932**

Dear Secretary Chiavetta:

Enclosed please find the Complaint, Public Statement, and Verification on behalf of the Office of Small Business Advocate (“OSBA”), in the above-captioned proceeding.

Copies will be served on all known parties in this proceeding, as indicated on the attached Certificate of Service.

If you have any questions, please do not hesitate to contact me.

Sincerely,

*/s/ Steven C. Gray*

Steven C. Gray  
Senior Attorney  
Assistant Small Business Advocate  
Attorney ID No. 77538

*Enclosures*

cc: Mark Ewen  
Parties of Record



4. The Complainant is authorized and directed by the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50, to represent the interests of small business consumers of utility services in matters before the Pennsylvania Public Utility Commission (“Commission”).

5. This Complaint is filed against the rates, terms, and other provisions of PECO’s Tariff Gas – Pa. P.U.C. No. 6 (“Tariff No. 6”), which was filed with the Commission on March 28, 2024, by the PECO Energy Company – Gas Division (“PECO Gas” or the “Company”). The rates set forth in Tariff No. 6, if approved by the Commission, would increase the Company’s annual distribution revenues by approximately \$111 million.

6. After preliminary review of the materials filed by PECO Gas in support of the proposed Tariff No. 6, Complainant believes, and therefore avers, that those materials may be insufficient to justify the rate increase requested and that the Company’s present and proposed rates, rules, and conditions of service may be unjust, unreasonable, unduly discriminatory, and otherwise contrary to law, particularly as they pertain to small business customers.

7. Complainant believes, and therefore avers, that the Company’s proposed tariff changes and proposed rates, rate design, and revenue allocation are or may be unjust, unreasonable, and unlawfully discriminatory in violation of, *inter alia*, Sections 1301 and 1304 of the Public Utility Code, 66 Pa. C.S. §§1301 and 1304, and contrary to appropriate public policy and sound ratemaking considerations and may not be supported by the materials filed by PECO Gas.

8. In view of the foregoing, the Small Business Advocate respectfully requests that the Pennsylvania Public Utility Commission:

A. Suspend and investigate the operation of Tariff No. 6;

- B. At the conclusion of such investigation, reject the proposed new rates and other tariff changes in Tariff No. 6 to the extent required to make certain that PECO Gas's rates are lawful, just, reasonable, and not unduly discriminatory to small business customers; and
- C. Grant such other relief as may be necessary or appropriate.

Respectfully submitted,

*/s/ Steven Gray*

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Steven Gray  
Senior Attorney  
Assistant Small Business Advocate  
Attorney ID No. 77538

Commonwealth of Pennsylvania  
Office of Small Business Advocate  
Forum Place  
555 Walnut Street, 1<sup>st</sup> Floor  
Harrisburg, Pennsylvania 17101  
(717) 783-2525  
(717) 783-2831 (fax)

Dated: April 16, 2024

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Pennsylvania Public Utility Commission** : **Docket No. R-2024-3046932**  
:   
v. :   
:   
**PECO Energy Company-Gas Division** :

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**PUBLIC STATEMENT OF  
THE OFFICE OF SMALL BUSINESS ADVOCATE**

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The Small Business Advocate is authorized and directed to represent the interest of small business consumers of utility services in Pennsylvania under the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50 (“Act”). The Act further provides that the Small Business Advocate is to issue publicly a written statement stating concisely the specific interest of small business consumers to be protected by her initiation of or intervention in any proceeding involving those interests before the Public Utility Commission (“Commission”) or any other agency or court. This public statement relates to the filing today by the Small Business Advocate of a complaint against the proposed base rate tariff filing of the PECO Energy Company – Gas Division (“PECO Gas” or the “Company”), which would increase the annual distribution revenue of the Company by approximately \$111 million per year.

The Small Business Advocate files this formal complaint against the Company’s proposed base rate tariff filings in order to protect the interests of the Company’s small business customers. A thorough inquiry by the Commission into all elements of the Company’s proposed

base rate tariff filings is necessary to ensure that the tariff filings are lawful, just, reasonable, and not discriminatory to PECO Gas's small business customers.

In view of the foregoing, the Small Business Advocate will participate in proceedings before the Public Utility Commission to investigate the reasonableness of the proposed base rate tariff filings. The Small Business Advocate will ask the Commission to deny any proposed new rates and other tariff changes that apply to small business customers that are not proven by PECO Gas to be lawful, just, reasonable, and not discriminatory to the Company's small business customers.

Dated: April 16, 2024

**VERIFICATION**

I, NazAarah Sabree, hereby state that the facts set forth herein above are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Date: April 16, 2024



(Signature)

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Pennsylvania Public Utility Commission** : **Docket No. R-2024-3046932**  
:   
v. :   
**PECO Energy Company-Gas Division** :

**CERTIFICATE OF SERVICE**

I hereby certify that true and correct copies of the foregoing have been served via email (*unless otherwise noted below*) upon the following persons, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

The Honorable Charles E. Rainey  
Chief Administrative Law Judge  
Administrative Law Judge  
Pennsylvania Public Utility Commission  
400 North Street  
Commonwealth Keystone Building  
Harrisburg, PA 17120  
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DATE: April 16, 2024

*/s/ Steven C. Gray*  
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Steven C. Gray  
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Assistant Small Business Advocate  
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