

May 2, 2024

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

VIA ELECTRONIC FILING

Re: Pennsylvania Public Utility Commission v. PECO Energy Company – Electric Division; Docket No. R-2024-3046931

Dear Secretary Chiavetta:

Please find enclosed for filing with the Pennsylvania Public Utility Commission ("PUC" or "Commission") the Petition to Intervene of Walmart Inc. ("Walmart") in the above-referenced matter.

This document was filed electronically with the Commission on this date. All parties are being served a copy of this document in accordance with the enclosed Certificate of Service.

Please contact me if you have any questions concerning this filing.

Sincerely,

SPILMAN THOMAS & BATTLE, PLLC

By 

Derrick Price Williamson
Barry A. Naum
Steven W. Lee

BAN/sds
Enclosures

c: Administrative Law Judge Darlene Heep (via E-mail)
Administrative Law Judge Marta Guhl (via E-mail)
Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission :
 :
 v. : Docket No. R-2024-3046931
 :
 PECO Energy Company – Electric Division :

**PETITION TO INTERVENE OF
WALMART INC.**

TO THE HONORABLE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Pursuant to 52 Pa. Code Sections 5.71 through 5.74, Walmart Inc. ("Walmart") hereby files this Petition to Intervene in the above-captioned proceeding. In support thereof, Walmart states as follows:

1. Petitioner is Walmart, 2608 SE J Street, Bentonville, Arkansas 72716.
2. The name and address of Petitioner's attorneys are:

Derrick Price Williamson
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3. On March 28, 2024, PECO Energy Company – Electric Division ("PECO" or "Company") filed with the Pennsylvania Public Utility Commission ("PUC" or "Commission") the Company's Tariff Electric – Pa. P.U.C. No. 8 ("Filing"), representing a request for a general

increase in the Company's electric distribution rates of approximately \$464 million. PECO is also proposing a one-time credit of \$64 million, resulting in a net increase in electric rates of \$399 million in 2025. PECO proposes the rates be effective May 27, 2024. The Company is also requesting a return on equity ("ROE") of 10.95 percent.

4. Walmart has the privilege of providing its retail services in the Commonwealth of Pennsylvania through its 116 Supercenters, 19 Discount Stores, 24 Sam's Clubs, 6 Distribution Centers, and 4 Fulfillment Centers.¹ Walmart is also a retail customer of PECO, with 23 retail units and related facilities served by the Company. Walmart purchases more than 61.2 million kWh annually from PECO, pursuant to Rate Schedules GS (General Service) and HT (High Tension Power). The cost of electricity comprises a significant portion of the operating costs of Walmart's various retail and distribution locations.

5. The Commission's final determination in this proceeding may directly impact the terms and conditions of the electric service that Walmart receives from the Company at multiple locations. Walmart therefore has a direct, substantial, and unique interest in the outcome of this proceeding that is not represented by any other party. See 52 Pa. Code § 5.72(a)(2).

¹ <https://corporate.walmart.com/about/location-facts/united-states/pennsylvania>

WHEREFORE, Walmart Inc. requests that the Commission grant this Petition to Intervene and provide Walmart with full party status in this proceeding.

Respectfully submitted,

SPILMAN THOMAS & BATTLE, PLLC

By 
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Counsel to Walmart Inc.

Dated: May 2, 2024

VERIFICATION

I, Barry A. Naum, Counsel to Walmart Inc., hereby states that the facts set forth in the foregoing Petition to Intervene are true and correct to the best of my knowledge, information, and belief. I understand that the statements made herein are made subject to 18 Pa.C.S. § 4904 (pertaining to unsworn falsification to authorities).

Date: May 2, 2024


Barry A. Naum

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission :
v. : Docket No. R-2024-3046931
PECO Energy Company – Electric Division :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the following parties to this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by participant).

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Certificate of Service
Docket No. R-2024-3046931
Page 3

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A handwritten signature in blue ink, appearing to read 'B. Naum', is written over a solid horizontal line.

Barry A. Naum

Dated: May 2, 2024