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May 3, 2024

VIA E-FILING

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

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

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Petition to Intervene of Constellation Energy Generation, LLC and Constellation NewEnergy, Inc. in the above-captioned proceeding.

Copies are being served in accordance with the attached Certificate of Service. Please contact me with any questions.

Very truly yours,



Alan M. Seltzer

AMS/ja
cc: Certificate of Service

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3. CEG and NewEnergy are active suppliers of both wholesale and retail electricity and related products in the PECO service territory and elsewhere in the Commonwealth.

4. CEG owns and operates the top-producing carbon-free nuclear generation fleet in the nation, with facilities in Pennsylvania, New York, Maryland, New Jersey, and Illinois. These nuclear resources, along with CEG's wind, solar, and hydroelectric assets, produce approximately 10% of the nation's carbon-free power. CEG also participates as a competitive supplier in PECO's default service procurement proceedings.

5. NewEnergy provides competitive energy supply services and a wide array of sustainable products to residential customers in the continental United States. New Energy is a PUC-licensed electric generation supplier ("EGS") in the Commonwealth of Pennsylvania and provides retail electric and gas commodity products and services to customers in the PECO service territory. NewEnergy is subject to and complies with PECO's Electric Supplier Coordination Tariff, among other of PECO's tariffs, rules and regulations.

6. Constellation therefore has a direct, immediate and substantial interest in the amounts, lawfulness and reasonableness of all charges billed by PECO and seeks to protect its interests as a supplier of retail and wholesale electricity in PECO's service territory by intervening and actively participating in this proceeding.

II. Background

7. PECO is an electric distribution company that serves approximately 1.7 million residential, residential heating, general service, primary distribution, high tension, electric

propulsion and lighting customers in southeastern Pennsylvania, including the City of Philadelphia and in portions of the following counties: Philadelphia, Bucks, Chester, Delaware, Montgomery and York. Roughly 90% of PECO's customers are residential and 10% are Commercial and Industrial.

8. On March 28, 2024, PECO filed PECO's Tariff Electric-Pa. P.U.C. No. 8 with the Commission to become effective on May 27, 2024. The end of the statutory suspension period is December 27, 2024. PECO utilizes a Fully Projected Future Test Year ending December 31, 2025.

9. If approved, PECO's Tariff Electric-Pa. P.U.C. No. 8 would provide PECO with an annual distribution revenue increase of approximately \$464 million, or approximately 29.2%. PECO is also proposing an offset of \$64 million during 2025.

10. PECO estimates that the total monthly bill of a residential customer using 700 kWh per month would increase by \$19.37 from \$135.85 to \$155.22 (14.3%) if its entire request is approved.

11. In an order entered on April 25, 2024, the Commission, among other things, (i) suspended PECO's proposed Tariff Electric Pa. P.U.C. No. 8 by operation of law under December 27, 2024, unless the Commission directs otherwise; (ii) ordered an investigation into the lawfulness, justness and reasonableness of PECO's existing, rates, rules and regulations; and (iii) assigned this proceeding to the Commission's Office of Administrative Law Judge for the scheduling of such hearings as may be necessary.

III. Standards for Intervention

12. Eligibility to intervene in Commission proceedings is governed by 52 Pa. Code § 5.72, which provides in relevant part that "[a] petition to intervene may be filed by a person claiming a right to intervene or an interest of such nature that intervention is necessary or

appropriate to the administration of the statute under which the proceeding is brought.” 52 Pa. Code § 5.72(a). Section 5.72 further provides that the right or interest may be one “which may be directly affected, and which is not adequately represented by existing participants, and as to which the petitioner may be bound by the action of the Commission in the proceeding.” 52 Pa. Code. § 5.72(a)(2).

IV. Reasons for Intervention

13. Constellation is in the process of reviewing the thousands of pages of data and information filed by PECO in support of its rate filing and will continue to identify all issues and matters of concerns in connection with the rate increase proposed by PECO. PECO’s proposed tariff changes could have an adverse effect on CEG’s and NewEnergy’s respective wholesale and retail sales, among other things. Constellation will advise PECO, all other parties and the presiding Administrative Law Judge of its specific issues as they become known.

WHEREFORE, Constellation Energy Generation, LLC and Constellation NewEnergy, Inc. hereby respectfully request that the Commission and/or the presiding Administrative Law Judges grant this Petition to Intervene and any other relief that is deemed to be just, reasonable and appropriate under the circumstances.

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Respectfully submitted,

Date: May 3, 2024



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*Counsel for Constellation Energy Generation, LLC
and Constellation NewEnergy, Inc.*

VERIFICATION

I, John M. White, have read the foregoing document and verify that the facts set forth therein are true and correct to the best of my knowledge, information and belief. To the extent that the foregoing document and/or its language is that of counsel, I have relied upon counsel in making this Verification.

I understand that any false statements made herein are subject to the penalties of 18 Pa. C.S.A. § 4904, relating to unsworn falsification to authorities.

By: John M. White

John M. White
Assistant General Counsel
Constellation Energy Generation, LLC

DATE: May 3, 2024

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

CERTIFICATE OF SERVICE

I hereby certify that this day I served a copy of the foregoing document upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code § 1.54.

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Respectfully submitted,



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