

May 6, 2024

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

**VIA ELECTRONIC FILING**

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

Dear Secretary Chiavetta:

Please find enclosed for filing with the Pennsylvania Public Utility Commission ("PUC" or "Commission") the Prehearing Conference Memorandum 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-2024-3046932
	:	
PECO Energy Company – Gas Division	:	

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**PREHEARING CONFERENCE MEMORANDUM OF  
WALMART INC.**

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Pursuant to the Prehearing Conference Order issued on April 29, 2024, by Administrative Law Judges ("ALJs") Darlene Heep and Marta Guhl Walmart Inc. ("Walmart"), hereby submit this Prehearing Conference Memorandum in the above-captioned proceeding.

**I. HISTORY OF THE PROCEEDING**

On March 28, 2024, PECO Energy Company – Gas Division ("PECO" or "Company") filed with the Pennsylvania Public Utility Commission ("PUC" or "Commission") the Company's Tariff Gas – Pa. P.U.C. No. 6 ("Filing"), representing a request for an annual general increase in the Company's natural gas distribution rates of approximately \$111 million. The Company is also requesting a return on equity ("ROE") of 10.95 percent.

**II. REPRESENTATION AND SERVICE CONTACT**

Walmart is represented by counsel with contact information as follows:

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### **III. ANTICIPATED ISSUES**

Walmart is still evaluating PECO's Filing and anticipates being informed by the record created in this case. At this preliminary stage, however, Walmart plans to pay careful attention to the proposed overall revenue increase, the allocation of costs among the various rate schedules, and PECO's proposed overall Return on Equity of 10.95%. Walmart anticipates pursuing these issues during this proceeding and reserves the right to raise further issues and to respond to all matters raised by other parties.

### **IV. PROPOSED WITNESSES AND EVIDENCE**

Walmart is still in the process of evaluating whether it will sponsor testimony in this proceeding. In the event Walmart decides to sponsor testimony, Walmart will likely submit testimony from Lisa V. Perry, Director, Regulatory – Utility Partnerships, and will promptly inform the parties and the ALJs if this changes. Regardless, Walmart reserves the right to participate in this proceeding and adduce evidence through the submission of discovery, cross-examination of other parties' witnesses, and the submission of briefs, exceptions, and reply exceptions, if necessary.

**V. PROPOSED SCHEDULE AND DISCOVERY RULES**

Walmart does not oppose the proposed procedural schedule set forth by the ALJs in the Prehearing Conference Order. Walmart will cooperate with the ALJs and the parties to formulate discovery rules in accordance with the Commission's regulations and ALJs' directives.

**VI. SETTLEMENT**

Walmart is willing to participate in settlement discussions so as to narrow or resolve issues in dispute among the parties.

Respectfully submitted,

SPILMAN THOMAS & BATTLE, PLLC

By 

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*Counsel to Walmart Inc.*

Dated: May 6, 2024

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

**VIA E-MAIL**

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Dated: May 6, 2024