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May 6, 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 PreHearing Conference
Memorandum 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

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.

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; (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.

In an order dated April 29, 2024, the appointed ALJs issued a Prehearing Conference Order which, among other things, established a prehearing conference in this proceeding for May 7, 2024 at 1:30 p.m. That order, among other things, directed all parties to file and serve prehearing conference memoranda on or before 11:00 am on May 6, 2024.

On May 3, 2024, Constellation filed a Petition to Intervene in these proceedings based upon its preliminary evaluation of PECO's rate filings and proposed tariffs.

II. PROPOSED DISCOVERY AND LITIGATION SCHEDULE

To the extent not already specified in the Prehearing Conference Order, Constellation is prepared to work with PECO and all other active parties to establish a mutually acceptable schedule and protocols for discovery, the filing of non-PECO testimony and related matters that are consistent with applicable law and the suspension periods established by the Commission in its April 25, 2024 Order, as well as acceptable to the ALJs. Constellation is aware that discovery has already commenced in the proceeding and will participate in that process as necessary.

Constellation understands that the following modifications to PECO's original proposed litigation schedule have been agreed to by the OCA:

| | Date(s) |
|--|----------------------|
| Public Input Hearings | Week of June 3, 2024 |
| Non-Company Direct Testimony | June 17, 2024 |
| Rebuttal Testimony | July 16, 2024 (noon) |
| Surrebuttal Testimony | July 30, 2024 |
| Written Rejoinder Outline | August 1, 2024 (4pm) |
| Oral Rejoinder Testimony and Hearings (telephonic) | August 5-7, 2024 |
| Main Briefs | August 21, 2024 |
| Reply Briefs | August 30, 2024 |

Constellation has no objection to the litigation schedule noted above.

III. PUBLIC INPUT HEARINGS

Constellation supports the need for timely public input hearings throughout the PECO service territory – consistent with the proposed schedule above -- to allow all members of the public to express their views on issues relating to the PECO rate filing for consideration by the Commission, the ALJ and all parties to the proceeding.

IV. ISSUES AND WITNESSES

As noted in its Petition to Intervene, Constellation will be specifically and substantially affected by the outcome of this proceeding. 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 rate and tariff changes could have an adverse effect on CEG's and NewEnergy's respective wholesale and retail sales, among other things. Constellation reserves the right, and will advise PECO, all other parties and the presiding ALJs of its specific issues as

they become known. Constellation will also evaluate positions advanced by other Parties to the case that may affect its interests.

Constellation is still considering whether or not to present testimony in this proceeding. Therefore, Constellation has not yet identified its witnesses in the proceeding but will advise the ALJs and the parties as soon as their identify is known. Accordingly, Constellation reserves the right to present a witness, as may be necessary, depending on the course of the proceeding. If Constellation decides to present testimony, it will provide reasonable notice to ALJs, as well as the parties. Constellation also reserves its right to add or change the identity of its witnesses at any time, upon appropriate notice to the ALJs and the parties.

V. SETTLEMENT

At the appropriate time in the proceeding, Constellation is amenable to exploring the possibility of settlement with PECO and other active parties on some or all of the issues in the proceeding.

VI. OTHER MATTERS

To the extent there is no opposition to Constellation's pending Petition to Intervene at the time of the Prehearing Conference and the deemed approval under the Prehearing Order has not yet occurred, Constellation requests that the ALJs enter a timely order granting Constellation the right to intervene and participate in all aspects of this proceeding.

Date: May 6, 2024

Respectfully submitted,



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**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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