



May 6, 2024

**VIA E-FILE**

**David P. Zambito**

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

**Re: Pennsylvania Public Utility Commission , et al. v. PECO Energy Company  
(Electric); Docket Nos. R-2024-3046931, et al.**

**Pennsylvania Public Utility Commission , et al. v. PECO Energy Company (Gas);  
Docket Nos. R-2024-3046932, et al.**

**PREHEARING MEMORANDUM OF THE TRUSTEES OF THE UNIVERSITY OF  
PENNSYLVANIA AND THE HOSPITAL AT THE UNIVERSITY OF PENNSYLVANIA**

Dear Secretary Chiavetta:

Enclosed for filing with the Commission, please find the Prehearing Memorandum of The Trustees of the University of Pennsylvania and The Hospital at the University of Pennsylvania in the above-referenced proceeding. A copy of this document has been served in accordance with the attached Certificate of Service.

If you have any questions regarding this filing, please direct them to me. Thank you for your attention to this matter.

Sincerely,

Cozen O'Connor

By: David P. Zambito  
Counsel for *The Trustees of the University  
of Pennsylvania and The Hospital at the  
University of Pennsylvania*

DPZ/kmg  
Enclosure

cc: Honorable Marta Guhl  
Honorable Darlene Heep  
Per Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission :  
 :  
 v. : Docket Nos. R-2024-3046931, *et al.*  
 :  
 PECO Energy Company – Electric Division :

**CERTIFICATE OF SERVICE**

I hereby certify that I have this 6<sup>th</sup> day of May 2024 served a true copy of the foregoing **Prehearing Conference Memorandum of The Trustees of the University of Pennsylvania and The Hospital at the University of Pennsylvania** on the parties, listed below in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a party).

**Served via Electronic Mail Only**

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Counsel for *The Trustees of the University of  
Pennsylvania and The Hospital at the University of  
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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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**Administrative Law Judge Darlene Heep  
and  
Administrative Law Judge Marta Guhl**

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Pennsylvania Public Utility Commission, <i>et al.</i>	:	
	:	Docket Nos. R-2024-3046931
v.	:	R-2024-3046932
	:	
PECO Energy Company	:	
	:	
	:	
	:	

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**PREHEARING MEMORANDUM OF  
THE TRUSTEES OF THE UNIVERSITY OF PENNSYLVANIA AND  
THE HOSPITAL AT THE UNIVERSITY OF PENNSYLVANIA**

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AND NOW COME, The Trustees of the University of Pennsylvania and The Hospital at the University of Pennsylvania (collectively “UPENN”), by and through their counsel, Cozen O’Connor, pursuant to 52 Pa. Code § 5.222(d) and in compliance with the Prehearing Conference Order of Administrative Law Judges Darlene Heep and Marta Guhl (the “ALJs”), dated April 29, 2024, to file this Prehearing Memorandum in the above-captioned matter.

**I. INTRODUCTION AND PROCEDURAL HISTORY**

UPENN adopts by reference the procedural history of these consolidated dockets as set forth in the orders of the Pennsylvania Public Utility Commission (“Commission”), entered April

25, 2024, suspending the electric and gas rate increase tariff supplements of PECO Energy Company (“PECO”).

UPENN is a Pennsylvania not-for-profit corporation, with its principal office at The Franklin Building, 3451 Walnut Street, Suite 731, Philadelphia, PA 19104. UPENN is a higher educational institution with approximately 20,000 students and also operates The Hospital at the University of Pennsylvania, a world class academic medical center. UPENN is an electric customer of PECO, purchasing electricity pursuant to rate schedule GS – General Service. As such, its rates would increase as a result of PECO’s proposed rate increase.

## **II. COUNSEL**

Counsel for UPENN are:

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## **III. SERVICE OF DOCUMENTS**

UPENN’s attorneys are authorized to accept service on behalf of UPENN in this proceeding. UPENN agrees to receive service of documents electronically in this proceeding and requests that all listed counsel for UPENN receive electronic service.

## **IV. ISSUES**

The primary issue in this proceeding is whether the rates proposed by PECO are just and reasonable, and in conformity with regulations and orders of the Commission, as required by 66

Pa. C.S. § 1301. The reliability of PECO's electric service is a material factor in setting just and reasonable rates, particularly with regard to the Commission's determination of a fair return on equity (*i.e.*, whether the allowed return on equity is set at the low or high end of the range of reasonableness).

#### **V. WITNESSES AND EVIDENCE**

UPENN reserves the right to call a witness to discuss the reliability of PECO's electric service to UPENN's facilities and how such reliability should impact the Commission's determination of a fair return on equity. UPENN will identify such witness to the ALJs and parties in a timely manner.

#### **VI. DISCOVERY**

UPENN is willing to agree to reasonable modifications of the Commission's standard discovery rules.

#### **VII. PROTECTIVE ORDER**

UPENN has no objection to the entry of a reasonable protective order.

#### **VIII. PROCEDURAL SCHEDULE**

UPENN is willing to agree to a reasonable procedural schedule.

#### **IX. PUBLIC INPUT HEARINGS**

UPENN takes no position at this time on the necessity and nature of public input hearings.

**X. SETTLEMENT DISCUSSIONS**

UPENN is open to and available for settlement discussions to resolve this proceeding.

Respectfully submitted,



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Counsel for *The Trustees of the University of Pennsylvania and The Hospital at the University of Pennsylvania*

Dated: May 6, 2024