



May 6, 2024

Via Efiling

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

Re: Pennsylvania Public Utility Commission v. PECO Energy Company - Electric Division, Docket No. R-2024-3046931; and Public Utility Commission v. PECO Energy Company - Gas Division, Docket No. R-2024-3046932

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Prehearing Memorandum of the Tenant Union Representative Network and Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania in the above captioned matters.

This memorandum is being served via email as indicated on the attached Certificate of Service.

Sincerely,

/s/ Charlotte Edelstein

Charlotte E. Edelstein, Esquire
Attorney ID No. 334505

Enclosures

Cc: Certificates of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

| | |
|---|----------------|
| Pennsylvania Public Utility Commission | R-2024-3046931 |
| Office of Consumer Advocate | C-2024-3048362 |
| Office of Small Business Advocate | C-2024-3048467 |
| Alan McCarthy | C-2024-3048475 |
| Philadelphia Area Industrial Energy Users Group | C-2024-3048671 |

v.

PECO Energy Company (Electric)

| | |
|--|----------------|
| Pennsylvania Public Utility Commission | R-2024-3046932 |
| Office of Consumer Advocate | C-2024-3048363 |
| Office of Small Business Advocate | C-2024-3048456 |
| State Representative Christina Sappey | C-2024-3048631 |
| Alan McCarthy | C-2024-3048497 |

v.

PECO Energy Company (Gas)

**Prehearing Memorandum of Tenant Union Representative Network and Coalition for
Affordable Utility Services and Energy Efficiency in Pennsylvania**

Tenant Union Representative Network and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA) (collectively, “TURN and CAUSE-PA”) through counsel Community Legal Services, Inc., hereby submit this Prehearing Conference Memorandum pursuant to the Prehearing Conference Order of Administrative Law Judges Darlene Heep and Marta Guhl of April 29, 2024.

I. History of the Proceeding

On March 28, 2024, PECO Energy Company (“PECO” or “the Company”) filed with the PUC its Tariff Electric - Pa. P.U.C. No. 8 (“Tariff 8”), which was assigned this Docket No. R-2024-3046931 and its Tariff Gas - Pa. P.U.C. No.6 ("Tariff 6"), which was assigned this Docket No. R-2024-3046932.

PECO has requested to increase the electric distribution base rates charged to PECO’s residential, commercial, and industrial customers. In its filing, PECO proposes to increase its annual distribution rates by approximately \$464 million effective May 27, 2024, with a one-time credit of \$64 million, resulting in a net electric rate increase of \$399 million in 2025 and an additional \$64 million rate increase the following year. If PECO’s rate request is approved, the average bill of a residential customer using 700 kilowatt hours (kWh) per month will increase by \$16.67 from \$135.85 to \$152.52 or by 12.3% in 2025. As part of its request, PECO proposes to increase its fixed customer charge for electric residential and residential heating customers from \$10.52 per month to \$14.30 per month.

PECO has requested to increase the gas distribution base rates charged to PECO’s residential, commercial, and industrial customers. In its filing, PECO proposes to increase its overall natural gas rates by approximately \$111 million effective May 27, 2024. If PECO’s rate request is approved, the average bill of a residential customer using 80 Ccf per month will increase by \$16.15 from \$97.98 to \$114.13 or by 16.5%. As part of its request, PECO proposes to increase its fixed customer charge for general service residential gas customers from \$14.25 per month to \$19.38 per month.

On April 26, 2024, TURN and CAUSE-PA filed petitions to intervene in these proceedings. On April 29, 2024, Judges Heep and Guhl issued a Call-In Telephonic Prehearing

Conference Notice, scheduling a Prehearing Conference to be held May 7, 2024, at 1:30 p.m. On April 29, Judges Heep and Guhl issued a Prehearing Conference Order (“Order”) requiring parties to file a Prehearing Conference Memorandum on or before May 6, 2024, 11:00 a.m. TURN and CAUSE-PA submit this prehearing memorandum pursuant to that Order.

II. Issues

TURN and CAUSE-PA have preliminarily reviewed PECO’s rate filings and generally object to any rate increase to the extent that the proposed increase could result in unjust and unreasonable rates and impose severe hardship on low and moderate income residential customers and consumers, including those enrolled in PECO’s Customer Assistance Program. TURN and CAUSE-PA have preliminarily identified the following issues presented by these filings, which affect their members, and which TURN and CAUSE-PA seek to examine more fully:

1. The justness and reasonableness of PECO’s proposed rates;
2. The effectiveness of PECO’s customer service in light of its rate request;
3. The economic effect of the proposed rates on moderate and low income residents;
4. The effectiveness of PECO’s universal service programs in mitigating the impact of PECO’s rates on low-income customers;
5. Whether PECO’s proposed electric and gas rate designs, including its proposals to increase its fixed customer charges for electric residential and residential heating customers and general service residential gas customers are just and reasonable, including:
 - a. The impact PECO’s proposed rate design will have on low and moderate income customers; and

- b. How an increase to the residential fixed charges will impact the ability of low and moderate income customers to reduce their energy costs through conservation;
6. The effect of PECO's proposed revisions to the Matching Energy Assistance Fund program on moderate and low income residents;
7. The quality and effectiveness of PECO's customer service in relation to Limited English Proficiency households;
8. Whether PECO's rates and tariffs comply with the billing, collections, and termination standards, as well as the universal service requirements, contained in the Public Utility Code, the Pennsylvania Code, and PUC policy.

TURN and CAUSE-PA reserve the right to raise other relevant issues and respond to other issues that may arise in the course of this proceeding.

III. Witnesses and Testimony

At this time, TURN and CAUSE-PA intend to present the testimony of Ms. Elizabeth Marx, Esquire.

Elizabeth Marx
Pennsylvania Utility Law Project
118 Locust Street
Harrisburg, PA 17101
(717) 710-3825
emarx@pautilitylawproject.org

It is anticipated that Ms. Marx will provide testimony regarding some or all of the issues identified above. Ms. Marx may also address other issues and provide testimony in response to other parties. TURN and CAUSE-PA reserve the right to present the aforementioned witness to

testify in this matter, as well as the right to call additional or substitute witnesses as may be warranted upon proper notice to Your Honors and the parties.

IV. Discovery

TURN and CAUSE-PA will work with the parties to develop appropriate modifications to discovery rules that support the prompt and robust exchange of all relevant information.

V. Settlement

TURN and CAUSE-PA are willing and ready to engage in settlement discussions in an attempt to resolve or narrow the issues in this proceeding, with any and all parties, and encourage the parties to engage in settlement discussions early in the process.

VI. Public Input Hearings

TURN and CAUSE-PA support a minimum of two public input hearings, and would request that at least one public input hearing be conducted telephonically and at least one public input hearing be conducted in person. TURN and CAUSE-PA also note that, given the requests for both electric and gas base rate increases, it may be appropriate to hold more than two public input hearings.

VII. Schedule for Testimony, Hearings, and Briefs

TURN and CAUSE-PA have engaged in discussions with the other parties regarding a litigation schedule and timing of hearings. TURN and CAUSE-PA support the proposed schedule set forth by PECO, although note that their witness will not be available for oral testimony on August 7.

VIII. Service on TURN and CAUSE-PA

TURN and CAUSE-PA will be represented in this proceeding by Charlotte E. Edelstein, Esquire, Joline R. Price, Esquire, Vikram A. Patel, Esquire, and Robert W. Ballenger, Esquire who will accept electronic delivery of documents.

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TURN and CAUSE-PA also request that their witness, Elizabeth Marx, be included on all service in this proceeding, by electronic means wherever possible, as follows:

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Pennsylvania Utility Law Project
118 Locust Street
Harrisburg, PA 17101
emarx@pautilitylawproject.org

Pursuant to Paragraph 7 of the Prehearing Order, TURN and CAUSE-PA designate Charlotte E. Edelstein, Esq. to appear on the official service list for this proceeding:

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IX. Conclusion

TURN and CAUSE-PA respectfully request that this memorandum be entered into the record of this proceeding.

Respectfully submitted,

/s/ Charlotte Edelstein

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| State Representative Christina Sappey | C-2024-3048631 |
| Alan McCarthy | C-2024-3048497 |
| v. | |
| PECO Energy Company (Gas) | |

CERTIFICATE OF SERVICE

I hereby certify that I have this day served copies of the Prehearing Memorandum of the Tenant Union Representative Network and Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania upon the parties of record in the above captioned proceedings in accordance with the requirements of 52 Pa. Code § 1.54.

Via Email and First Class Mail

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May 6, 2024

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