



June 4, 2024

Via E-File

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

Re: Petition of Duquesne Light Company for Approval of a Default Service Program for the Period of June 1, 2025 through May 31, 2029, Docket No. P-2024-3048592

Prehearing Memorandum of CAUSE-PA

Dear Secretary Chiavetta,

Attached for filing, please find a **Prehearing Memorandum of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA)** in the above referenced matter. Copies of the filing were served in accordance with the attached Certificate of Service.

Respectfully submitted,
PENNSYLVANIA UTILITY LAW PROJECT
Counsel for CAUSE-PA



Elizabeth R. Marx, Esq.
717-710-3825
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CC: Per Certificate of Service

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of Duquesne Light Company for :
Approval of a Default Service Program for the : Docket No. P-2024-3048592
Period of June 1, 2025 through May 31, 2029 :

**Prehearing Memorandum of the Coalition for Affordable Utility Services
and Energy Efficiency in Pennsylvania (CAUSE-PA)**

The Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA), through its counsel at the Pennsylvania Utility Law Project, hereby files this Prehearing Memorandum in the captioned proceeding, pursuant to the May 7, 2024 Prehearing Conference Order of Administrative Law Judge Mary D. Long and Administrative Law Judge John Coogan.

I. History of the Proceeding

On April 19, 2024, Duquesne Light Company (DLC or the Company) filed a Petition for Approval of their Default Service Programs for the period commencing June 1, 2025 through May 31, 2029 (Petition). On May 10, 2024, CAUSE-PA filed a Petition to Intervene. On May 7, 2024, Judge Long and Judge Coogan issued a Prehearing Conference Order requiring parties to serve a Prehearing Conference Memorandum on or before Wednesday, June 5, 2024, and setting a telephonic prehearing conference for Friday, June 7, 2024, at 9:00 a.m.

II. Issues to be Addressed

CAUSE-PA has tentatively identified the following potential issues which affect its members:

1. The effect of DLC’s proposed procurement strategy for residential consumers, and its adequacy in providing a stable, cost-effective default service option.

2. The effect of DLC's proposal to continue its Standard Offer Referral Program, and the adequacy of its program rules to protect consumers from unreasonably high costs at the end of the program period.
3. Whether DLC's EV-Time of Use Pilot proposal will impact consumers that cannot afford to adopt an EV.
4. Whether DLC's proposed Green Tariff is just and reasonable, and the impact it may have on consumers that cannot afford the alternative rider.
5. The effect of DLC's Purchase of Receivables (POR) program, whether it is just and reasonable, and if it shields residential consumers from shouldering unnecessary collections expenses driven by unreasonably high pricing in the competitive market.
6. Whether DLC's Customer Assistance Program rules are creating a barrier to program entry for payment troubled low income consumers that are enrolled with a supplier at the time they apply for rate assistance through CAP.
7. Any additional issues that arise during litigation that may impact the accessibility, stability, and affordability of default service for low income consumers.

We assert that each of the forgoing issues must be thoroughly investigated to ensure that the Company's economically vulnerable customers are not harmed, and any approved programs are in the public interest. CAUSE-PA anticipates that additional issues may arise as a more comprehensive review of the Company's filing is undertaken, discovery is conducted, and other parties present evidence and testimony. CAUSE-PA reserves the right to present evidence on any issues contained in DLC's filing that were not otherwise specifically identified above, as well as those issues raised by other parties. Any and all evidence presented by CAUSE-PA will be directed so as to ensure that low-income customers are adequately protected in the continued provision of default service.

III. Witnesses and Testimony

CAUSE-PA intends to present the following witness to testify in this matter, but reserves the right to call additional or substitute witnesses as may be warranted upon proper notice to the Your Honor and the parties:

Harry S. Geller, Esquire
118 Locust Street

Harrisburg, PA 17101
hgeller@pautilitylawproject.org

Mr. Geller will address the issues identified above, as well as other relevant issues that may arise in the course of this proceeding.

IV. Discovery

CAUSE-PA is involved in discussions with the parties regarding mutually agreeable discovery modifications in this proceeding. Absent mutual agreement of the parties in advance of the Prehearing Conference, we note our support for the modifications that we understand will be proposed by the Office of Consumer Advocate (OCA) in its Prehearing Conference Memorandum.

V. Settlement

CAUSE-PA is ready and willing to work with the other parties to reach a full or partial settlement of the litigated issues.

VI. Service on CAUSE-PA

Service on CAUSE-PA by the parties to this proceeding may be made on its attorneys at the Pennsylvania Utility Law Project as follows:

Elizabeth R. Marx, Esquire
John Sweet, Esquire
Ria Pereira, Esq.
Lauren N. Berman, Esq.
Pennsylvania Utility Law Project
118 Locust Street
Harrisburg, PA 17101
E-mail: pulp@pautilitylawproject.org

CAUSE-PA requests that parties agree to electronic service in this proceeding.

VII. Representation of CAUSE-PA at Prehearing Conference

CAUSE-PA will be represented by Elizabeth R. Marx, Esq. at the Prehearing Conference.

VIII. Litigation Schedule

CAUSE-PA is working with the parties in an attempt to reach a mutually agreeable litigation schedule in this proceeding. In the absence of a mutually agreed upon schedule between parties in advance of the Prehearing Conference, CAUSE-PA proposes the following procedural schedule:

DSP X Filing made- April 19, 2024
Prehearing Conference – June 7, 2024
Other Parties’ Direct – July 12, 2024
Rebuttal – August 9, 2024
Surrebuttal – August 22, 2024
Rejoinder or rejoinder outlines – August 27, 2024 (by noon)
Hearings – August 28-29, 2024
Main Briefs – September 19, 2024
Reply Briefs – October 1, 2024

This proposed schedule attempts to avoid multiple conflicts for the parties and with the litigation schedules established for several other large-scale proceedings that are also pending before the Commission. At the time of this filing, the above schedule was supported jointly by OCA and CAUSE-PA, though discussions about the schedule are ongoing.

WHEREFORE, CAUSE-PA respectfully submits the foregoing Prehearing Conference Memorandum for consideration in this proceeding.

Respectfully submitted,
PENNSYLVANIA UTILITY LAW PROJECT
Counsel for CAUSE-PA



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CERTIFICATE OF SERVICE

I hereby certify I have on this day served copies of the **Prehearing Memorandum of CAUSE-PA** in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

VIA EMAIL

Honorable Mary D. Long Administrative Law Judge Pennsylvania Public Utility Commission Commonwealth Keystone Building 400 North Street, 2 nd Floor Harrisburg, PA 17120 malong@pa.gov	Honorable John Coogan Administrative Law Judge Pennsylvania Public Utility Commission Commonwealth Keystone Building 400 North Street, 2 nd Floor Harrisburg, PA 17120 jcoogan@pa.gov
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