

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120**

Public Meeting held December 5, 2024

Commissioners Present:

Stephen M. DeFrank, Chairman
Kimberly Barrow, Vice Chair
Kathryn L. Zerfuss
John F. Coleman, Jr.
Ralph V. Yanora

Petition of PECO Energy Company for
Approval of Its Default Service Program
for the Period From June 1, 2025, Through
May 31, 2029

P-2024-3046008

OPINION AND ORDER

BY THE COMMISSION:

Before the Pennsylvania Public Utility Commission (Commission) for consideration and disposition is the Petition for Reconsideration and/or Clarification filed by the Office of Consumer Advocate, as well as a Joint Petition for Reconsideration and/or Clarification filed by the Tenant Union Representative Network and Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (collectively, the Petitions), on November 22, 2024, seeking reconsideration of the Opinion and Order entered on November 7, 2024, relative to the above-captioned proceeding.

Pursuant to Rule 1701 of the Pennsylvania Rules of Appellate Procedure, Pa. R.A.P. 1701, the Commission must act to grant a petition for reconsideration within thirty days of the date of entry of the order for which reconsideration is sought or otherwise lose jurisdiction to do so if a petition for review is timely filed.¹ Therefore, the Commission must act upon the Petitions in order to preserve jurisdiction by December 9, 2024.²

Granting reconsideration pending review of, and consideration on, the merits of the Petitions to preserve Commission jurisdiction and toll the thirty-day time period for filing a petition for appellate review does not automatically stay the Commission's underlying Opinion and Order.³ Pursuant to 52 Pa. Code § 5.572, petitions seeking a stay or supersedeas must be filed with the Commission within fifteen (15) days after the underlying Opinion and Order becomes final.⁴

Accordingly, we shall grant reconsideration, within the meaning of Pa. R.A.P. 1701(b)(3), pending review of, and consideration on, the merits of the Petitions; **THEREFORE**,

¹ Commission Rules of Practice and Procedure provide that a party may file an Answer to the Petitions within ten (10) days of service. 52 Pa. Code § 5.571(c). On December 2, 2024, Answers to the Petitions were filed by PECO Energy Company, the Energy Justice Advocates, and jointly by the Retail Energy Supply Association and NRG Energy, Inc.

² The thirty-day period ends on December 7, 2024, which is a Saturday. Therefore, the next business day, Monday, December 9, 2024, is the deadline for the Commission to act on the Petitions. *See*, 52 Pa. Code § 1.12.

³ 52 Pa. Code § 5.572; Pa. R.A.P. 1701.

⁴ *See also*, Pa. R.A.P. 1781.

IT IS ORDERED: That the Petitions for Reconsideration and/or Clarification filed by the Office of Consumer Advocate and jointly filed by the Tenant Union Representative Network and Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania on November 22, 2024, are hereby granted, pending further review of, and consideration on, the merits.

BY THE COMMISSION,

A handwritten signature in black ink, appearing to read "Rosemary Chiavetta". The signature is fluid and cursive, with the first name being particularly prominent.

Rosemary Chiavetta
Secretary

(SEAL)

ORDER ADOPTED: December 5, 2024

ORDER ENTERED: December 5, 2024