



January 22, 2025

VIA E-Filing

Secretary Rosemary Chiavetta
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, Pennsylvania 17120

Re: Petition of PECO Energy Company for Approval of Its Default Service Plan for the Period from June 1, 2025 Through May 31, 2029, Docket No. P-2024-3046008

Dear Secretary Chiavetta,

Please find enclosed Comments of the Energy Justice Advocates on the Solar PPA and RFP. Should you have any questions, please do not hesitate to contact me. Thank you.

Respectfully submitted,

/s/ Devin McDougall _____

PA Attorney ID No. 329855

Supervising Senior Attorney

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Counsel for the Energy Justice Advocates

cc:

Certificate of Service (w/ encl.) (via email)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

Docket No. P-2024-3046008

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the enclosed document upon the parties of record to this proceeding, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party) in the manner and upon the persons listed below.

Service By Email Only

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Dated: January 22, 2025

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**COMMENTS OF THE ENERGY JUSTICE ADVOCATES
ON THE SOLAR PPA AND RFP**

I. INTRODUCTION

Pursuant to ¶ 25 of the Non-Unanimous Settlement (the “Settlement”) as approved by the Pennsylvania Public Utility Commission (the “Commission”) in the above-captioned proceeding (the “Proceeding”) on November 7, 2024, POWER Interfaith (“POWER”), Vote Solar, Clean Air Council, Sierra Club, Physicians for Social Responsibility, and PennEnvironment (collectively, the “Energy Justice Advocates” or “EJA”) respectfully submit these Comments on the proposed solar Power Purchase Agreement (“Solar PPA”) and Request for Proposals (“RFP”) filed by PECO Energy Company (“PECO”) on December 23, 2024.

II. COMMENTS

A. Background

The Settlement provides that PECO will procure, through ten-year fixed price power purchase agreements, the energy, capacity, and solar photovoltaic alternative energy credits from one or more new solar projects to be located in Pennsylvania with a total capacity of up to 25 MW (the “Project”) to meet the needs of residential default service customers.¹

The Settlement also provides for a two-part collaborative and participatory process to develop the Solar PPA and RFP to be used for the Project.² First, it provides that PECO will

¹ Opinion and Order, Pennsylvania Public Utility Commission, Docket No. P-2024-3046008 (Nov. 7, 2024), at 13-14 (“During the DSP VI Term, PECO will also procure, through ten-year, fixed-price power purchase agreements (‘Solar PPAs’), the energy, capacity and solar photovoltaic alternative energy credits (‘AECs’) generated by one or more new Pennsylvania solar photovoltaic projects with total capacity of up to 25 MW (DC) to meet the default service requirements of residential customers. The winning project(s) will be selected through a competitive procurement process in which PECO will seek 25 MW (DC) of solar capacity but will have flexibility to enter into agreements with multiple projects totaling 25 MW (DC) with a minimum project size of 5 MW (DC).”).

² *Id.* at 14-15 (“PECO shall submit the Solar RFP and PPA to the Commission for approval within forty-five (45) days of a Commission order approving the Settlement after conferring in good faith with the Joint Petitioners regarding the terms of the Solar RFP and PPA, which shall be substantially similar to the solar request for proposals and power purchase agreement approved by the Commission in Docket No. P-2021-3030012. The parties to this proceeding shall have the right to file comments on PECO’s proposed Solar RFP and PPA within thirty (30) days after PECO’s filing of the Solar RFP and PPA with the Commission.”).

confer in good faith with parties to the Settlement as part of preparing proposed Solar PPA and RFP documents that it will file with the Commission. Second, it provides that parties to the Proceeding shall have the right to file comments regarding their positions on the proposed Solar PPA and RFP documents.

B. Position of EJA

EJA believes that the process of involving community stakeholders in the preparation of the Solar PPA and RFP documents (as outlined in the Settlement, approved by the Commission, and implemented by the parties) has functioned well. EJA's counsel and expert participated in multiple rounds of in-depth good faith discussions with PECO, the Office of the Consumer Advocate, the Office of the Small Business Advocate, the Tenant Union Representative Network, the Coalition for Affordable Energy Services and Energy Efficiency in Pennsylvania, and other parties which resulted in numerous refinements to the draft Solar PPA and RFP documents. While not all of the changes EJA proposed were accepted, the documents reflect a balance between considerations raised by different stakeholders, and EJA does not oppose the Commission's approval of the Solar PPA and RFP as filed by PECO.

More broadly, EJA respectfully submits that the benefits of inclusive collaboration with community stakeholders should be considered by the Commission in future proceedings and incorporated wherever possible. As discussed in EJA Statement No. 1, the Direct Testimony of Karl R. Rábago, a core tenet of energy justice is energy democracy, which is the ability of communities to participate as fully as possible in shaping their energy future.³

³ EJA Statement No. 1, Direct Testimony of Karl Rábago, at 80:13–81:8.

Dated: January 22, 2025

Respectfully submitted,

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