

Timothy K. McHugh, Esq.
(610) 301-9072
(330) 315-9263 (Fax)

April 22, 2025

VIA ELECTRONIC FILING

Matt Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

**Re: Energy Efficiency and Conservation Program;
Docket No. M-2025-3052826**

Dear Secretary Homsher:

Pursuant to the Pennsylvania Public Utility Commission's Act 129 Tentative Implementation Order dated February 20, 2025 in the above-captioned proceeding, please find enclosed the Reply Comments of FirstEnergy Pennsylvania Electric Company.

Please contact me if you have any questions regarding this matter.

Very truly yours,



Timothy K. McHugh

Enclosures

c: As Per Certificate of Service
Joseph Sherrick, Bureau of Technical Utility Services, josherrick@pa.gov
Tiffany Tran, Law Bureau, tiftran@pa.gov

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Energy Efficiency and Conservation Program : **Docket No. M-2025-3052826**

**REPLY COMMENTS OF FIRSTENERGY PENNSYLVANIA ELECTRIC COMPANY
TO THE TENTATIVE IMPLEMENTATION ORDER REGARDING PHASE V OF THE
ACT 129 ENERGY EFFICIENCY AND CONSERVATION PROGRAM**

Act 129 of 2008 (the “Act” or “Act 129”) created an Energy Efficiency & Conservation (“EE&C”) Program, codified in the Pennsylvania Public Utility Code at Sections 2806.1 and 2806.2, 66 Pa.C.S. §§ 2806.1 - 2806.2. The Act requires that every five years the Commission must assess the cost-effectiveness of the EE&C Program and set incremental reductions in electric consumption if the EE&C Program’s benefits exceed its costs. In preparation for a potential Act 129 Phase V, the Commission tasked the Phase IV Statewide Evaluator (“SWE”) with performing an energy efficiency and peak demand reduction (“EEPDR”) potential study and a Demand Response (“DR”) potential study to determine the cost-effective consumption and peak demand reduction potential in Pennsylvania. The SWE submitted its final *Pennsylvania Act 129 Phase V Energy Efficiency and Peak Demand Reduction Market Potential Study (“EEMPS”)*¹ and *Pennsylvania Act 129 Phase V Demand Response Potential Study (“DRPS”)*² (collectively the “SWE’s Potential Studies”) to the Commission in February 2025. In the Tentative Implementation Order (“TIO”),³ the Commission presents its evaluation of the cost-effectiveness of the EE&C

¹ See *Pennsylvania Act 129 - Phase V Energy Efficiency and Peak Demand Reduction Market Potential Study Report*, submitted by NV5, Inc., et al., February 2025.

² See *Pennsylvania Act 129 – Phase V Demand Response Potential Study*, submitted by Demand Side Analytics, February 2025.

³ See *Energy Efficiency and Conservation Program Tentative Implementation Order*, Dkt. No. M-2025-3052826 (February 20, 2025).

Program and proposes a five-year Phase V that would operate from June 1, 2026, through May 31, 2031. The TIO proposes additional required incremental reductions in consumption and peak demand and additional proposals regarding the design and implementation of the Phase V Act 129 EE&C Program. FirstEnergy Pennsylvania Electric Company (“FE PA” or the “Company”) submitted Comments on the TIO on April 7, 2025 (“Comments”).

I. Introduction

The Company appreciates the opportunity to provide input on the TIO and offers the following Reply Comments in response to the comments on the TIO submitted by the other parties for Commission consideration. In addition, the Company supports the Reply Comments filed by the Energy Association of Pennsylvania in this matter.

II. Comments

A. Proposed Reductions in Electric Consumption

A.4 – Proposed Reductions in Consumption

EDC Phase V Act 129 EE&C Plans should not be required to meet additional or increased programmatic or other requirements.

Several parties provided comments to the TIO advocating for the EDC’s Phase V Act 129 EE&C Plans (“Act 129 Plans”) to meet additional or increased programmatic or other requirements as discussed below. The Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (“CAUSE-PA”), the Coalition for Affordable Energy and Housing in PA (“CEEH-PA”), Clean Energy Advocates (“Clean Energy”) and the Pennsylvania Department of Environmental Protection (“DEP”) each advocated for an expansion of comprehensive program offerings through specific program, savings or spending requirements. More specifically,

CAUSE-PA suggested requiring a minimum level of spending in well-defined comprehensive programs, or establishing a minimum portfolio estimated useful life that the electric distribution companies (“EDCs”) could only achieve by prioritizing the allocation of longer-lived, deeper-savings measures. CEEH-PA recommended improving overall focus on durable building envelope measures. Clean Energy proposed that Act 129 programs should align standards and specifications with what is required for federal programs. And DEP recommended including more than one comprehensive program for residential and non-residential sectors. In addition, DEP and Northeast Energy Efficiency Partnership (“NEEP”) further advocated for the inclusion of additional or specific comprehensive programs, workforce development and/or training programs. More specifically, DEP recommended including programs like Passive House, US Department of Energy Zero Energy Homes, and Leadership in Energy & Environmental Design as well as training programs including Building Operator Certification and Building Retuning Training. Meanwhile, NEEP recommends creating workforce network or training programs.

Because EDCs are subject to Act 129 penalties for failure to achieve their consumption reduction targets, they must have flexibility with the design of their Act 129 Plans. The Commission should avoid requiring additional administrative, programmatic or other requirements that may impact the ability of EDCs to meet their targets within their Act 129 budgets. In addition, the Proposed Reductions in Consumption targets are based on the SWE’s EEPDR Potential Study, which did not consider these specific additional programs or requirements; nor did it analyze the impact of such on the estimated Phase V participation projections, program savings potential, or acquisition costs. Furthermore, each EDC’s Act 129 Plan will be filed and subject to review by stakeholders and the Commission. For these reasons, the Company recommends that the Commission should not require additional or increased programmatic or other requirements and

instead should rely on the stakeholder and regulatory review process to ensure the adequacy of EDCs' Act 129 Plans and program offerings.

A.5 – Prescription of Low-Income Measures and Carve-Out

The Phase V Act 129 EE&C Program should not include increased low-income targets and additional requirements.

The TIO requires FE PA to obtain a minimum low-income savings target of 7.5% of its total consumption reduction target, derived by assuming a budget allocation of 13.3% for programs directed at low-income customers or low-income-verified participants in multifamily housing programs. Comments submitted by the Office of Consumer Advocate (“OCA”), CAUSE-PA, CEEH-PA and the Commission on Economic Opportunity (“CEO”) request that the Commission increase the low-income savings target. The Company disagrees. The budget allocation of 13.3% and corresponding consumption reduction for the low-income sector are based on the EEMPS and the SWE analysis of a set budget carve-out. As stated in the Company’s comments, maintaining the low-income budget as a spending requirement and removing the discrete low-income consumption reduction target allows for better coordination and helps to mitigate competition among other non-Act 129 programs. It also provides flexibility to offer additional or expanded comprehensive offerings to serve low-income customers. Imposing a higher consumption reduction requirement and corresponding increased costs for the low-income savings target will require reductions for the other customer sector programs, resulting in higher overall acquisition costs and potentially decreased overall benefits. This type of change would also put pressure on EDCs to focus spending on lower cost, less comprehensive measures as opposed to longer lived, whole home measures. Furthermore, the Company highlights EAP comments noting that the

dedication of a specific budget will enable increased flexibility for EDCs to include comprehensive measures in the Commission required Act 129 EE&C program for the low-income sector.

CAUSE-PA further recommends that: the acquisition costs for the statewide low-income programs be increased from \$646.30/MWh⁴ to \$958.60/MWh, the low-income savings target be increased to 308,041 MWh (presumably from the TIO Table 10 value of 245,980 MWh), and that the non-low-income residential target be reduced to 917,608 MWh. CAUSE-PA asserts that these changes will serve to equalize non-low-income and low-income savings so that both are approximately 46% of the program potential. However, CAUSE-PA has presented no analysis on the impact of these changes to total portfolio costs nor cost-effectiveness. While the Company does not oppose the recommendation to increase the acquisition cost, the imposition of the proposed low-income savings target could make compliance unattainable. For this reason, the Company reasserts the recommendation that the low-income programs be measured by a spending rather than a savings target.

New carve-outs are not needed within the low-income sector, for PV solar, multifamily, comprehensive or direct install programs and for peak demand reduction.

Several commenters seek additional specific carve-outs within the low-income carve-out as proposed in the TIO. The Commission should reject these recommendations to provide the EDCs with the necessary flexibility to design and implement programs across all customer classes to meet their targets in a cost-effective manner. These incremental carve-outs are both unnecessary and potentially restrict the ability of the Company to design and implement the EE&C Plan to meet its targets and will increase the cost of compliance. In designing its EE&C Plan, the Company considers a multitude of different measures, including comprehensive long-lived measures.

⁴ See TIO Table 4.

The Company selects the measures for each program and finalizes program designs and budgets based on many factors, including input from stakeholders, Conservation Service Providers and vendors. The Company also relies on its experience, historical program results, industry benchmarking, the overall EE&C budget and program costs, the SWE's Potential Studies, and balance among customer classes and cost-effectiveness results. Furthermore, many factors impact the ratio of administrative versus incentive costs, including type of program, measures incented, delivery channel, marketing and customer participation across the mix of measures. Regardless, stakeholders are offered the opportunity to provide input to proposed EE&C programs prior to proposal to the Commission.

The OCA states that Phase V should require utilities to achieve a minimum number of income eligible installations or savings as a portion of an overall solar carve-out for income eligible properties. The Company disagrees. Imposing a specific solar requirement for income eligible properties will limit programs offering flexibility for the low-income carve-out and drive up acquisition costs. The EEMPS did not include an estimate of the amount of solar participation from low-income customers. Participation rates are extremely uncertain given the high initial capital cost of solar. This presents a seemingly insurmountable barrier, particularly for this class of customers, and the incentives that would be required from Act 129 to overcome this hurdle have not been analyzed, nor has the impact on budgets and cost-effectiveness ratios. As several commenters have pointed out, there is potential for comprehensive technologies for low-income customers to produce long-lived savings that may be more cost effective and require less budget as compared to the cost of a solar photovoltaic ("PV") project.

CAUSE-PA and CEO emphasized the importance of comprehensive, whole-home program measures and direct install, while CEO proposed that a minimum percentage of low-income savings come from direct install and comprehensive measures. CAUSE-PA recommends that no less than 25% of the low-income savings come from comprehensive program measures. The suggestions by CAUSE-PA to require the EDCs to achieve no less than 25% of the low-income savings target through comprehensive whole-home program measures, and from CEO to require a minimum percentage for direct install, are overly aggressive, unnecessary and will cause significant budget increases to the EDCs. The Company's current Act 129 low-income programs include both direct installation and comprehensive programs, and the Company fully expects that these will continue in Phase V. Suggesting additional requirements for direct installation measures fails to recognize the existing Act 129 programs as well as the robust and comprehensive direct-install Low Income Usage Reduction Programs ("LIURP") and the Pennsylvania Department of Community & Economic Development's ("DCED") Weatherization Assistance Program ("WAP"). These additional requirements would potentially undermine coordination and create competition among programs, restrict flexibility to offer other comprehensive offerings that would serve additional low-income customers, and unnecessarily increase program administration efforts and budgets for low-income programs.

DEP deemed it prudent to include multifamily consumption reduction targets within the low-income segment, and CEEH-PA requested that subcategories within the low-income carve-out be established for individually and master metered multifamily units. The Company disagrees with the inclusion of a multifamily carve-out within the low-income carve-out. The EEMPS provided no result for this subcategory of multifamily potential within the low-income sector, nor did it analyze the impact of these on the estimated Phase V program savings potential, acquisition

costs or cost-effectiveness results. As CEEH-PA pointed out: “[i]t is unclear from the SWE’s Residential Baseline Study and the EEPDR Market Potential Study whether and to what extent savings potential from tenant units in low-income master metered multifamily buildings was included in the evaluation of the low-income sector potential.” The Company currently has multifamily programs that include direct installation measures targeting the low-income sector and works diligently with the Pennsylvania Housing Finance Agency in promoting and targeting programs for multifamily housing. The type and number of multifamily buildings varies among service territories and, as such, the EDCs should be given the flexibility to design their programs based on their unique service territories.

Uplight recommended establishing a low-income peak demand reduction target for each EDC, at an amount greater than the proposed low-income consumption reduction target of approximately 7% of the total statewide goal. Uplight also recommended that the cost-effectiveness for the low-income [demand reduction] carve-out be tracked but not considered in approving these programs and be removed from the total portfolio cost tests, but it provides no basis for this other than that “they hurt overall program cost-effectiveness.” Uplight presented an argument comparing the incentive dollars spent on low-income DR as compared to higher income household DR; however, it provides no foundation as to why demand reductions are more appropriate and would be more beneficial to low-income households as compared to consumption reductions. Further, establishing a demand reduction carve-out potentially detracts from providing more beneficial or comprehensive programs to low-income customers. Any funds allocated to such a carve-out could affect funding for other low-income consumption savings programs as the focus would be on both energy efficiency and demand reduction as opposed to maximizing long-term energy efficiency savings for the benefit of these customers. Lastly, the SWE’s DRPS did

not consider or analyze low-income customer participation, program savings or acquisition costs separate from the general residential sector that would be needed to inform a carve-out. As such, including low-income customers in any general residential DR programs will better capture their participation and contributions without creating unnecessary administration and costs.

EDCs must have flexibility with the design of their Act 129 Plans, and the Commission should avoid requiring additional programmatic or other requirements which may impact the ability of EDCs to meet their targets within their Act 129 budgets. In addition, the Proposed Reductions in Consumption and Peak Demand targets are based on the SWE's Potential Studies which did not consider these specific recommendations or analyze the impact of these on the estimated Phase V program savings potential or acquisition costs. Furthermore, EDCs' Act 129 Plans will be filed and subject to review by stakeholders and the Commission. For these reasons, the Company recommends that the Commission should not establish new carve-outs within the low-income sector for Solar PV, multifamily, comprehensive or direct install programs, or peak demand reduction, and instead should rely on the stakeholder and regulatory review processes to ensure the adequacy of the EDC's Act 129 Plans and program offerings.

B. Proposed Reductions in Peak Demand

B.2 – Methodology Used to Set Peak Demand Reduction Targets

The Commission should not require specific Demand Response programs.

In their comments to the TIO, Advanced Energy United (“United”) and NRG Energy, Inc. (“NRG”) proposed specific DR Programs. United proposes “C&I Load Shaping programs,” citing successful programs in Connecticut, Rhode Island and New Hampshire, with no additional specific

information provided for these states, and two specific programs with “success” in Massachusetts,⁵ and New York.⁶ These programs are traditional event-based programs that are not in alignment with either the SWE’s assumed daily load-shifting program design adopted by the Commission in the TIO or the SWE’s “Commercial and Industrial (C&I) Load Shifting” program. NRG proposed for the Commission to expand the opportunity for DR participation in the form of “Smart Thermostat,” the daily load shifting program for residential thermostats that facilitate Electric Generation Supplier (“EGS”) and other Load Serving Entity’s (“LSE”) reduction of peak loads during certain periods, which again aligns with traditional event-based programs and not the daily load-shifting design recommended by the SWE and adopted in the TIO.

In addition to the specific event-based program proposals by United and NRG, NRG proposed additional requirements regarding enrollment terms, incentives, EGS participation and smart thermostat program specific semi-annual stakeholder meetings. DEP recommended that each EDC should propose a program for each DR technology identified in the TIO. However, the proposed reductions in peak demand targets in the TIO are based on the three DR program strategies (C&I Load Shifting, Connected Thermostat Optimization, and Electric Vehicle Managed Charging) with a statewide TRC ratio of 0.8 or higher based on the SWE’s DRPS, the acquisition costs modeled in the SWE’s Potential Studies and the 10% funding allocation to DR. Furthermore, requiring DR programs for each technology goes against the Commission’s stated

⁵ From the United comments, at page 7, “The Massachusetts Daily Dispatch Connected Solutions program is dispatched to drive savings primarily during the single coincident highest load hour of the year. It is dispatched based on a day-ahead load forecast and can be called up to 60 times per season for events lasting up to 3 hours.” See Mass Save, “Offering Materials for Connected Solutions for Commercial/Industrial Customers” (June 8, 2023) at 2, available at https://www.masssave.com/-/media/Files/PDFs/Business/CI-ConnectedSolutions-Offering-Materials_June-2023.pdf.

⁶ From the United comments, at page 7 “The New York CSRP establishes 4-hour call windows, and employs both a peak demand-based trigger and a weather variable-based trigger. Operators dispatch the program whenever the day-ahead system demand forecast exceeds 92% of the peak or when the temperature variable exceeds 84 degrees.” <https://www.nationalgridus.com/media/pdfs/bus-ways-to-save/csrp-program-overview.pdf>.

objective in the TIO that “Phase V peak demand reduction targets may be satisfied with either coincident demand reductions from EE or verified demand reductions from load-shifting programs . . . allows EDCs the flexibility to pursue load-shifting programs but does not require it.”⁷

The SWE determined the most effective approach for the Phase V DRPS to be the “daily load-shifting” DR program design, as adopted in the TIO, and did not take into account these event-based program proposals or a requirement to include each DR technology identified in the TIO. The impact of these on the estimated Phase V program savings potential, acquisition costs or cost-effectiveness results were not considered. In addition, as discussed in the Company’s comments above to Section A.4 Proposed Reductions in Consumption, the EDCs must have flexibility regarding the design of their Act 129 Plans and the Commission should avoid requiring additional administrative or other program requirements that may impact the ability of EDCs to meet their targets within the Act 129 budget. Furthermore, EDCs’ Act 129 Plans will be filed and subject to review by stakeholders and the Commission. For these reasons, and the reasons discussed below regarding expanding the Phase V Act 129 framework to incorporate traditional event-based DR programs, the Company recommends that the Commission should not require specific DR programs and should rely on the stakeholder and regulatory review process to ensure the adequacy of the EDCs’ Act 129 Plans and program offerings.

The Phase V Act 129 DR framework should not be expanded to support traditional event-based DR programs.

As discussed in Section B.1. Summary of SWE’s DRPS of the TIO, the SWE determined the most effective approach for the Phase V DRPS Potential Study to be the “daily load-shifting” DR program design. However, several parties, including United, Oracle Utilities Opower

⁷ TIO at page 50.

(“Oracle”) and Uplight, provided comments to the TIO advocating for the Phase V Act 129 framework to be expanded to support traditional event-based programs. More specifically, United recommended enabling both daily and event-based dispatch programs and to “strengthen” peak load targets through event-based thermostat and behavioral DR programs. United additionally cited its support for event-based frameworks implemented in other states. Oracle further commented in support for event-based DR and Uplight advocated for the Commission to adopt “alternative measurements” for called events.

In support of the daily load-shifting design, the SWE noted that the daily dispatch mechanism is the clearest pathway for Act 129 programs to provide incremental peak load reductions that complement rather than compete with existing PJM emergency DR offerings. The Company agrees with the desire not to interfere or compete with the PJM market, which provides a robust, competitive market for DR reductions. In addition, the SWE highlighted that a common performance definition for daily load-shifting programs and energy efficiency could afford the Commission and EDCs flexibility in Phase V by way of a single peak demand reduction target that could be satisfied with either daily load-shifting programs or coincident peak demand reductions from energy efficiency. Notwithstanding the Company’s Comments regarding its proposed demand reduction target and other comments herein, the Company appreciates the flexibility in program design afforded by the common definition which would be complicated, if not compromised, by expanding the Phase V Act 129 DR framework to support traditional event-based programs. Furthermore, a decision to allocate additional Phase V budget dollars to expand the Phase V Act 129 DR framework to support traditional event-based programs would increasingly prioritize peak demand reductions over reductions in overall energy consumption.

For these reasons, the Company recommends that the Commission should not expand the Phase V Act 129 DR framework to support traditional event-based DR programs.

The C&I Load Shifting Program should be excluded from the calculation of the Proposed Peak Demand Reduction targets.

As discussed above, United proposed traditional event-based “C&I Load Shaping programs” as opposed to the SWE’s “C&I Load Shifting” program. In its Comments to the TIO, the Company communicated significant concerns related to its proposed peak demand reduction target, which will require aggressive implementation of the DR daily load-shifting programs to meet its targets. More specifically, the Company highlighted the unreasonable reliance on the C&I Load Shifting program when determining peak demand reduction targets, with participation based on California data and, where implemented in other states, mostly relies on the availability of energy storage, which was not factored into the SWE’s analysis. In addition to the concerns discussed in its Comments, similar to the Company’s comments above regarding traditional event-based DR programs, the C&I Load Shifting program may also interfere or compete with the PJM market through potential customer confusion, impact customer participation⁸ and cause uncertain customer load impacts associated with participation across multiple programs. Recognizing that many C&I customers have direct access to the PJM market, either themselves as a PJM Curtailment Service Provider or with a third-party Curtailment Service Provider, the Company reiterates its recommendation that the C&I Load Shifting Program should be excluded from the calculation of the proposed peak demand reduction targets to not interfere or compete with the PJM market for DR reductions as well as due to the considerable risks and uncertainties with this program as discussed in its Comments.

⁸ “Daily load shifting reduces the incentive to participate relative to event-based DR.” PECO comments at pg. 7.

To best promote the EDCs to propose new and unproven DR program designs, the proposed Peak Demand Reduction targets should not be subject to Act 129 penalties.

In comments to the TIO, United and NRG both proposed event-based thermostat programs and Uplight further recommended against thermostat optimization. United specifically cited two event-based smart thermostat programs in Massachusetts and New York, while NRG cited prior Act 129 DR program information and its experience or research in support of its comments. Uplight cited its role as a DR provider in the U.S. across multiple technologies in support of their recommendations including that “Uplight recommends against the Connected Thermostat Optimization daily dispatch design” due to concerns related to customer fatigue and load impacts, as well as having no customer incentives included in the program design.

In its Comments, the Company cited several concerns with the Residential Thermostat daily load-shifting program including significant uncertainty with customer participation due to the hours, days and months required in both winter and summer periods with no incentive to enroll or participate. The Company also cited significant uncertainty with load impacts and the impact of opt-outs due to customer fatigue with daily load-shifting that would occur four hours of the day for all non-holiday weekdays over five months each year, which was also acknowledged by the SWE, as well as due to the addition of winter DR.

For these reasons and in response to the comments provided by United and NRG in support of thermostat event-based DR and to Uplight’s recommendation against thermostat optimization, the Company reiterates its recommendation that to best promote the EDCs to propose new and unproven DR program designs, the proposed peak demand reduction targets should not be subject to Act 129 penalties.

C. Coordination with Other State Conservation Programs

C.3 – Data Sharing Between EDCs and State Agencies

In the TIO, the Commission encouraged stakeholders to provide specific suggestions in their comments regarding the types of data and mechanism for sharing that data between the EDCs, the DEP and DCED. While several parties, including Oracle, Clean Energy, United, NEEP, and CAUSE-PA, commented on wanting the ability to more readily share customer information, they also acknowledged the complexity involved with data sharing, including cybersecurity concerns and protection of personally identifiable information, and did not provide specific suggestions on the mechanism for data sharing. Adding requirements for data sharing in Phase V would increase the administrative cost of program implementation, leaving less available for incenting actual projects. The Commission should carefully consider the benefits versus the costs of such a requirement. Considering these reasons, the Company supports PECO's comments on data sharing in that it has implications well beyond Act 129 and should be considered in a separate, dedicated proceeding for the reasons put forth in its comments and does not believe any data sharing requirements should be imposed on the EDCs in the Final Implementation Order.

E. Plan Effectiveness Evaluation Process

E.3 – EDC and SWE Reports

There were several comments from parties, including NEEP, CAUSE-PA, OCA and CEEH-PA, on additional tracking and reporting of various program metrics and program components that were incremental to what has been required by the Commission in prior Phases. Additional tracking and reporting requirements included items such as subcategories of metered participants in the low-income program, administrative costs associated with braided funding, data

for longer-lived deeper-savings measures and leveraged funding ratios. The Company opposes additional tracking and reporting metrics as the additional requirements may not be easily quantified or reliable, and the compilation of information would only serve to increase administrative costs that would be better used towards Act 129 program implementation and customer incentives. Careful consideration should be given to the incremental benefits the information may provide when compared to the additional cost of tracking and reporting that information.

H. EDC Cost Recovery

H.2 – Application of Excess Phase IV Budget

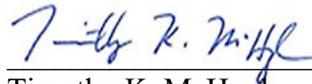
In their comments to the TIO, both CAUSE-PA and DEP proposed requiring EDCs to spend their full Act 129 budgets and to add unspent Phase IV budgets to available funding for Phase V programs. The Company disagrees. Unspent Phase IV budgets should not be used to increase the Phase V EE&C budgets beyond the budget caps established in Act 129. Act 129 establishes a 2% budget or spending cap and increasing the Phase V EE&C budgets for any reason would result in exceeding the spending cap. The Company agrees with the Commission's proposal that EDCs begin Phase V using only their Phase V budgets.

III. Conclusion

FirstEnergy Pennsylvania Electric Company appreciates the opportunity to provide reply comments on the Commission's Tentative Implementation Order regarding Phase V of the Energy Efficiency and Conservation Program. The Company looks forward to working with the Commission and the other parties on this matter.

Respectfully submitted,

Dated: April 22, 2025



Timothy K. McHugh
Attorney No. 317906
FirstEnergy Service Company
341 White Pond Drive
Akron, OH 44320
(610) 301-9072
tmchugh@firstenergycorp.com

Counsel for FirstEnergy Pennsylvania Electric
Company

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Energy Efficiency and Conservation Program : **Docket No. M-2025-3052826**

CERTIFICATE OF SERVICE

I hereby certify that I have on this day served a true copy of the foregoing document via email upon the individuals listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

Service by electronic mail only as follows:

Steven C. Gray, Esq.
Office of Small Business Advocate
Forum Place, 1st Floor
555 Walnut Street
Harrisburg, PA 17101
sgray@pa.gov

Sam Ressin
Principal, Advanced Energy United
1801 Pennsylvania Ave. NW, Suite 410
Washington, D.C. 20006
sressin@advancedenergyunited.org

John W. Sweet, Esq.
Elizabeth R. Marx, Esq.
Pennsylvania Utility Law Project
118 Locust Street
Harrisburg, PA 17101
pulp@pautilitylawproject.org

Deanne M. O'Dell, Esq.
Eckert Seamans Cherin & Mellott, LLC
213 Market Street, 8th Floor
Harrisburg, PA, 17101
DODell@eckertseamans.com

Katie Ruth
Pennsylvania Interfaith Power & Light
321 West Chestnut Street
Lancaster, PA 17603
k@paipl.us
info@paipl.org

Jeaneen Zappa
Executive Director
Keystone Energy Efficiency Alliance
614 S 4th St #307,
Philadelphia, PA 19147
jzappa@energyefficiencyalliance.org

Nicole W. Luciano, CAE, IOM
Director of Policy
Energy Association of Pennsylvania
800 N. Third Street, Suite 205
Harrisburg, PA 17102
nluciano@energypa.org

Jennifer Swan, Esq.
PA Department of Environmental Protection
16th Floor,
Rachel Carson State Office Building
400 Market Street
PO Box 2063, Harrisburg 17105-2063
jswan@pa.gov

Carolyn Sloan
Senior Manager, Regulatory Affairs &
Market Development - Opower
carolyn.sloan@oracle.com

Susan Bruce, Esquire
Charis Mincavage, Esquire
Rebecca Kimmel, Esquire
McNees Wallace & Nurick LLC
100 Pine Street | Harrisburg, PA 171
SBruce@mcneeslaw.com
CMincavage@mcneeslaw.com
RKimmel@mcneeslaw.com

Mark Swerling
UGI Utilities Inc.
1 UGI Drive
Denver, PA 17517
SwerlingM@ugicorp.com

Adam Farabaugh
Uplight
2580 55th St.
Boulder, CO 80301
adam.farabaugh@uplight.com

Erin Cosgrove
NEEP
ecosgrove@neep.org

Liz Robinson
Philadelphia Solar Energy Association
566 Jamestown Street
Philadelphia, PA 19128
lizhrob2@gmail.com

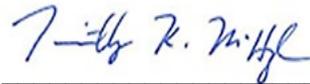
Anthony E. Gay
Jack R. Garfinkle
PECO Energy Company
2301 Market Street
P.O. Box 8699
Philadelphia, PA 19101-8699
anthony.gay@exeloncorp.com
jack.garfinkle@exeloncorp.com

Aron Beatty, Esq.
Michele Tate, Esq.
Duquesne Light Company
411 Seventh Avenue, Mail Drop 15-7
Pittsburgh, PA 15219
ABeatty@duqlight.com
mtate@duqlight.com

Dated: April 22, 2025

David B. MacGregor, Esq.
Devin Ryan, Esq.
Post & Schell, P.C.
Four Penn Center
1600 John F. Kennedy Boulevard
Philadelphia, PA 19103-2808
dmacgregor@postschell.com
dryan@postschell.com

Joseph Vullo, Esquire
Burke Vullo Reilly Roberts
1460 Wyoming Avenue
Forty Fort, PA 18704
jlvullo@bvrrlaw.com



Timothy K. McHugh
Attorney No. 317906
FirstEnergy Service Company
341 White Pond Drive
Akron, OH 44320
(610) 301-9072
tmchugh@firstenergycorp.com

Counsel for FirstEnergy Pennsylvania
Electric Company