

COMMONWEALTH OF PENNSYLVANIA



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July 11, 2025

Via Electronic Filing

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

**RE: Act 129 Energy Efficiency and Conservation Program - Phase V
Docket No. M-2025-3052826**

**OCA/OSBA Letter in Lieu of Answer in Support of CAUSE-PA Petition for
Reconsideration**

Dear Secretary Homsher,

The Office of Consumer Advocate (OCA) and the Office of Small Business Advocate (OSBA) (collectively the Statutory Advocates) file this Letter in Lieu of Answer in support of the Petition of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA) and the Tenant Union Representative Network (TURN) (collectively “Low Income Advocates”) filed on July 3, 2025 (Petition) in the captioned docket. The Petition seeks reconsideration and modification of the Public Utility Commission’s (Commission’s) Final Implementation Order (FIO) entered on June 18, 2025, in the captioned docket.

In the Petition, the Low Income Advocates request the Commission to reconsider the truncated litigation schedule for the EE&C Plans without interfering with the 120-day Phase V Planning Timeline. The Statutory Advocates fully support this request.

In paragraph 36(a)-(g) of the Petition, the Low Income Advocates put forward pragmatic and reasonable solutions to amend the FIO and adjust the accelerated litigation schedule that is to be applied to multiple electric distribution companies’ (EDCs’) Plans without extending the 120-day Phase V Planning Timeline. The Statutory Advocates fully support the proposed amendments

to the FIO, including but not limited to the proposed concurrent litigation and comment tracks as set forth in paragraph 36(b) of the Petition.

To demonstrate the reasonableness of their proposal modifications to the FIO and the truncated litigation schedule, in paragraph 37 of the Petition, the Low Income Advocates offer the following comparative table, which the Statutory Advocates fully support in terms of the timeline recommendations:

Milestone	TIO Procedural Timeline	FIO Procedural Timeline	Low Income Advocates' Recommended Procedural Timeline on Reconsideration
Plan Filing Deadline	Nov. 3 (M)	Dec. 1 (M)	Dec. 1 (M)
Publication, Pa. Bulletin	Nov. 22 (Sa)	Dec. 20 (Sa)	Dec. 13 (Sa)
Public Comment	Dec. 12 (F)	Jan. 9 (F)	Jan. 12 (M)
Formal Answer/Intervention	Dec. 12 (F)	Jan. 9 (F)	Dec. 23 (Tu)
Prehearing Conference	On/After Dec. 15 (M)	On/After Jan. 12 (M)	On/Before Jan. 6 (Tu)
Close of Evidentiary Hearing <i>(65 days from Plan filing)</i>	Jan. 7 (W)	Feb. 4 (W)	Feb. 4, 2025 (W)
Business Days from Prehearing Conference to Close of Evidentiary Hearing	14 days (max)	15 days (max)	20 days (max)

The Statutory Advocates respectfully share the concerns advanced by the Low Income Advocates in the Petition that the litigation schedule in the FIO, if left unmodified, offends the non-EDC parties' meaningful opportunity to be heard as due process requires in administrative proceedings.

While the Statutory and Low Income Advocates are routinely required to run sprints, not marathons, in matters adjudicated by the Commission, the truncated timeframe in the Commission's FIO is like running the ugliest two-minute drill down the football field. While the Statutory Advocates understand that the Commission will not deviate from the shot clock of the 120-day timeline, it is not at all clear the need for the parties to sprint even faster within that timeframe. The Statutory Advocates view the Low Income Advocates' proposed modifications to the litigation schedule as very reasonable requests that the Commission should grant.

For the reasons set forth above and in the Petition of the Low Income Advocates, the Statutory Advocates support the Petition and agree with the Low Income Advocates that the Commission should reconsider and modify the litigation schedules to afford due process to all interested parties therein.

Respectfully Submitted,

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