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July 14, 2025

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

via email

Re: Petition of CAUSE-PA and TURN (collectively “Low Income Advocates”) for Reconsideration and Modification of the Commission’s June 18, 2025, Implementation Order, Docket No. M-2025-3052826

Dear Secretary Homsher:

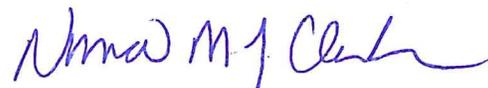
On July 3, the Low Income Advocates filed a Petition for Reconsideration and Modification of the Final Implementation Order Re: Energy Efficiency and Conservation Program, Docket No. M-2025-3052826 (“Petition”) entered by the Pennsylvania Public Utility Commission (“Commission”) on June 18, 2025 regarding Act 129 Phase V. By this letter, the Energy Association of Pennsylvania (“EAP”) responds to the Petition on behalf of its electric distribution company (“EDC”) members¹ subject to Act 129 of 2008, Sections 2806.1 and 2806.2 of the Pennsylvania Public Utility Code. *See*, 66 Pa. C. S. §§ 2806.1 and 2806.2. Act 129 of 2008.

¹ EAP is a non-profit trade association whose EDC members subject to Act 129 include Duquesne Light Co., FEPennsylvania Electric Company, PPL Electric Utilities, and PECO Energy Company.

The Petition alleges that the Commission's timeline for considering approval of the Energy Efficiency and Conservation ("EE&C") plans that will be filed by individual EDCs later this year violates procedural due process rights. The Low Income Advocates further argue that the Petition meets the standard for reconsideration established by *Duick v. Pa. Gas & Water Co.*, 56 Pa. P.U.C. 553 (1983) and seek specific modifications and clarifications to the procedural schedule. If granted, it is alleged that the modifications sought will neither change the due date for filing Phase V EE&C plans, i.e., November 30, 2025, nor change the date established in the Final Implementation Order to close the evidentiary record, i.e., February 4, 2026. It is EAP's understanding that the Petition suggests interim timeline adjustments that would increase the number of business days available for evidentiary proceedings from fifteen (15) days to twenty (20) days without extending the overall timeframe established in the Final Implementation Order.

Without waiving or conceding any legal arguments related to allegations that the Commission's Final Implementation Order violates procedural due process rights or meets the *Duick* standard for reconsideration, EAP does not object to the requested interim timeline adjustments sought by the Low Income Advocates so long as any adjustments granted neither change the date for filing proposed Act 129 Phase V EE&C plans nor extend the close of the evidentiary record beyond February 4, 2026.

Sincerely,

A handwritten signature in blue ink, appearing to read "Donna M.J. Clark".

Donna M.J. Clark, Esq. (ID# 39866)
Vice President and General Counsel
Energy Association of Pennsylvania

CC via e-mail: Attached certificate of service

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

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

Certificate of Service

I hereby certify that I have this date served true and correct copies of the forgoing document upon the persons listed below in the manner specified, in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service by a participant).

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