

COMMONWEALTH OF PENNSYLVANIA



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August 15, 2025

Via Electronic Filing

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

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

Dear Secretary Homsher:

Attached for electronic filing please find the Comments of the Office of Consumer Advocate in the above-referenced proceeding.

Copies have been served to the parties as indicated on the enclosed Certificate of Service.

Respectfully submitted,

/s/ Katie Kennedy
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Enclosures

cc: Certificate of Service
Joseph Sherrick, Bureau of Technical Utility Services (Email Only: josherrick@pa.gov)
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CERTIFICATE OF SERVICE

Act 129 Energy Efficiency and
Conservation Program Implementation
Phase V

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Docket No. M-2025-3052826

I hereby certify that I have this day filed electronically on the Commission’s electronic filing system and served a true copy of the following document, the Comments of the Office of Consumer Advocate, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below.

Dated this 15th day of August 2025.

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Dated: August 15, 2025

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Act 129 Energy Efficiency and
Conservation Program Implementation
Phase V

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Docket No. M-2025-3052826

COMMENTS OF THE
OFFICE OF CONSUMER ADVOCATE

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Dated: August 15, 2025

I. INTRODUCTION

The Office of Consumer Advocate (OCA) appreciates the opportunity to comment on the Public Utility Commission's (PUC or Commission) Phase V Energy Efficiency and Conservation Plan (EE&C Plan) filing template and the EE&C Plan template tables. The OCA reviewed the documents and offers comments on the EE&C Plan template table and submits these comments with the assistance and guidance of expert Stacy Sherwood.¹ The OCA respectfully requests that the Commission requires the Act 129 electric distribution companies (EDCs) to file the completed template table workbook along with their plan. Including this workbook will aid the review of the EDCs' EE&C Plans and will ensure consistency in locating the information. Below please also find additional comments related to the EE&C Plan template table, identified by Tab label in the workbook.

II. COMMENTS

A. The OCA Proposes that EDCs Be Required to File the Completed Template Table Workbook Along with their Act 129 Phase V Plans.

The OCA submits that the Commission should require the Act 129 electric distribution companies (EDCs) to file the completed template table workbook along with their plan. Including this workbook will aid the review of the EDCs' EE&C Plans and will ensure consistency in locating the information. Historically, utilities have filed EE&C plans in narrative form, often supported by appendices or summary tables, which have included mandatory tables and figures.

¹ Ms. Sherwood, a Principal with Energy Futures Group, has over 15 years of experience in energy efficiency (EE) and demand response (DR), along with expertise in automated metering infrastructure, cost recovery, renewable energy, and ratepayer safeguards for large loads such as cryptocurrency and data centers. Ms. Sherwood has reviewed plans proposed by Act 129 EDCs and voluntary utilities since Phase III on behalf of the OCA. For the last three years she has served as the lead technical consultant to the Connecticut Energy Efficiency Board on the review of the state's Conservation and Load Management Plan. She has also reviewed demand side management plans and filed comments or testimony in the following states: Connecticut, Georgia, Iowa, Kansas, Kentucky, Maryland, Missouri, Pennsylvania, South Carolina, and Wisconsin.

While useful, narrative reports alone, and/or reports that do not require live data with formulae intact, do not provide sufficient transparency, standardization, or analytical depth to support effective regulatory oversight, stakeholder engagement, or long-term planning.

The OCA recommends that having the mandated workbook submitted at the same time as the Plan, in live excel format, will enable staff and stakeholders to trace assumptions and underlying utility claims, while hopefully reducing ambiguity during review. To that end, mandating workbook publication would also facilitate discovery at an earlier stage of the plan review process, while also potentially reducing discovery requests and/or disputes. While also proving commitment to transparency, the OCA submits that this is a low-cost, high-impact improvement to current filing procedures.

B. The OCA Proposes that All Carve-Out Goals be included in the Introduction Table for Each Company.

The OCA submits that all carve-out goals, such as those for solar and combined heat and power (CHP), be included for each company on the Proposed Phase V Introduction Table. Including the same helps to hold utilities accountable not just for general efficiency gains, but for also meeting more targeted objectives related to the carve-out goals. Including all carve out goals on the introductory table sets the tone for the review of the EDCs plans and prioritizes better resource planning. By ensuring that all carve-out goals, including but not limited to Solar and CHP, are outlined from the onset, would promote not only energy efficiency, but peak load reduction, grid reliability, and consideration of emission reductions. In other words, by including the Solar and CHP in the EDC's plan's introduction table, the Commission and stakeholders will receive a more comprehensive view as to how utilities are contributing to multi-dimensional goals, as

encouraged by the Commission.² This practice also helps ensure comprehensive oversight, alignment with policy, efficient resource use, and clear accountability.

C. The OCA Proposes that the Lifetime Costs and Benefits for Each Sector and Each Component of the Plan be included in Tables 1 and 7.

Table 1: Portfolio Summary of Lifetime Costs and Benefits of EE&C Plan

Sector	Total Discounted Lifetime Costs (\$000)	Total Discounted Lifetime Benefits (\$000) ³	Present Value of Net ¹ Benefits (\$000)	Benefit-Cost Ratio (TRC Ratio)
Market Rate Residential (<i>exclusive of Low-Income</i>) ²			\$0	
Residential Low-Income			\$0	
Small Commercial & Industrial			\$0	
Large Commercial & Industrial			\$0	
Total Portfolio	\$0	\$0	\$0	

¹ "Net" refers to the arithmetic difference between the previous two columns. It does not refer to net verified savings. Calculate Present Value of Net Benefits and TRC ratio per the 2026 TRC Test Order (entered November 2024).
² The June 18, 2025 Implementation Order disallowed the inclusion of low-income participation in non-low-income programs in the calculation of savings towards the low-income carve-out.
³ Includes only savings from measures installed and operable between June 1, 2026, and May 31, 2031, and excludes carryover of Phase IV savings.

The Commission proposed Table 1, depicted above, demonstrates the lifetime costs and benefits of the Proposed EE&C Plan. Given that an EDC can offer demand response or daily load shifting, solar and CHP, the OCA submits that this table should be amended to provide the lifetime costs and benefits for each sector and for each component of the Plan. One way to accomplish this edit is, under each sector, there be a sub-list consisting of “Energy Efficiency,” “Demand Response/Shifting,” “Solar,” and “CHP.” Providing this breakdown will allow for the summation of total portfolio benefits, as currently shown in Table 1.

Each sector uses energy differently and employing a strategy, like demand response, might be more effective or cost-efficient in one sector over another. Without sector-level analysis, the data yields ambiguity and guesswork as to where the most value may lie. Further, without breaking

² The Commission has stated that Phase V of Act 129 reflects those concerns and emphasizes the role of energy efficiency and electricity demand management as cost-effective tools to: a) Help consumers reduce their energy bills. B) Ease strain on the power grid during peak periods. C) Reduce the need for costly infrastructure upgrades. And d) Support Pennsylvania’s energy transition and reliability goals. *Please see “PUC Approves Next Phase of State Energy Efficiency Program,”* <https://www.puc.pa.gov/press-release/2025/puc-approves-next-phase-of-state-energy-efficiency-program-06182025> (Accessed on August 11, 2025).

the data down, the EDCs and Commission may lack data necessary to effectively prioritize or justify investments or policy incentives.

Table 7: Budget and Parity Analysis Summary

Customer Sector	Phase V EE&C Budget (inclusive of allocated common cost)	% of Total EDC EE&C Budget	% of EDC Total Annual Revenue ¹	% of EDC Total MWh Sales
Residential Sector (exclusive of Low-Income)				
Residential Low Income Sub-Sector				
Residential Subtotal	\$0	0%	0%	0%
Small C&I Sector				
Large C&I Sector				
Non-Residential Subtotal	\$0	0%	0%	0%
EDC TOTAL ³	\$0	0%	0%	0%
EDC TOTAL as Share of Budget Ceiling	0.0%			
<div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <p>% Budget by Customer Sector (populates when data is entered above)</p> <p>0% 0%</p> </div> <div style="width: 30%;"> <p>% Revenue by Customer Sector</p> </div> <div style="width: 30%;"> <p>% MWh Sales by Customer Sector</p> </div> </div> <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <ul style="list-style-type: none"> ■ Residential Sector (exclusive of Low-Income) ■ Residential Low Income Sub-Sector ■ Small C&I Sector ■ Large C&I Sector </div> <div style="width: 30%;"> <ul style="list-style-type: none"> ■ Residential Subtotal ■ Large C&I Sector </div> <div style="width: 30%;"> <ul style="list-style-type: none"> ■ Small C&I Sector ■ Large C&I Sector </div> </div>				

¹ EDCs should use calendar year 2024 to compute the share of revenue and MWh sales by customer sector. Total revenue should be inclusive of collections on behalf of competitive generation suppliers.

² Budget amounts in this table should exclude SWE costs.

³ Cells F10, G10 and H10 will be green when the totals are above 99.9% and below 100.1%. All cells should be green once filled out to ensure correct subtotals.

The Commission also proposed Table 7, depicted above. Table 7 reviews the budget and parity by customer sector. As mentioned regarding Table 1, it may be beneficial to further categorize this table by EE&C, Demand Response/Shifting, Solar, and CHP opportunities to better understand how the components impact the various customer sectors, as previously discussed. The OCA understands that the purpose of this table was to supply “the numbers” without “all of the details³.” However, adding the proposed categories would help clarify the basis for parity in the chart, aligning with transparency in reporting as to Act 129 goals, and hopefully yield increased stakeholder involvement and targeted interventions as needed.

³ Please see “Template for Pennsylvania EDC Energy-Efficiency and Conservation Plans” contained within Implementation of Act 129 of 2008—Phase V Energy Efficiency and Conservation Plan Template, Secretarial Letter, Docket No. M-2025-3052826, (July 24, 2025).

D. The OCA Proposes Energy Savings Be Tracked and Demonstrated in Million British Thermal Units (MMBtus) by inclusion of the same to Tables 2 and 9.

Table 2: Summary of Portfolio Energy Savings

MWh Saved for Consumption Reductions (Meter-Level)	PY18		PY19		PY20		PY21		PY22		Total	
	1st-Year MWh ⁴	Lifetime MWh	1st-Year MWh	Lifetime MWh								
Baseline ¹	38,214,368		38,214,368		38,214,368		38,214,368		38,214,368		38,214,368	
Market Rate Residential Sector (exclusive of Low-Income) – Projected Incremental Savings												
Residential Low-Income Sub-Sector – Projected Incremental Savings												
Small C&I Sector – Projected Incremental Savings												
Large C&I Sector – Projected Incremental Savings												
EE&C Plan Total – Projected Incremental Savings	0	0	0	0	0	0	0	0	0	0	0	0
EE&C Plan Total – Projected Cumulative Savings	0	0	0	0	0	0	0	0	0	0	0	0
EE&C Plan Total – Percentage of Target to be Met ²	0%		0%		0%		0%		0%		0%	
Estimated Phase IV Carryover Savings ³												
Total Cumulative Projected Savings Phase V + Estimated Phase IV Carryover Savings	0		0		0		0		0		0	
Cumulative Percent Reduction from Baseline	0%		0%		0%		0%		0%		0%	
Commission-Identified Goal											828,231	

¹ As defined in the June 18, 2025 Implementation Order.
² The June 18, 2025 Implementation Order directed that EDCs achieve at least 15 percent of the target amount in each program year.
³ The Phase V Implementation Order limits energy carryover to 20% of an EDC's Phase V compliance target.
⁴ MWh saved are on a gross-verified basis.

The Commission proposed Table 2, depicted above, which summarizes the savings for first year and lifetime megawatt-hours (MWh). With electrification from efforts such as the Inflation Reduction Act (“IRA”) rebates and installation of heat pumps in homes with delivered fuels, the programs should begin tracking energy savings in million British thermal units (“MMBtu”), which takes into consideration the net energy savings resulting from a project. While the EE&C Plan goals are not based on MMBtu, this is being tracked in other jurisdictions and can provide a good benchmarking attempt to evaluate overall energy savings resulting from the program efforts.

Phase V also discusses fuel-switching. In ordering EDCs to include heat pump measures, the Commission states:

The Commission declines to adopt a more definitive position on fuel-switching from electricity to fossil fuel in this proceeding. These measures were removed from the 2026 TRM, and the 2026 TRC Test Final Order did not establish a minimum efficiency level for fossil fuel equipment to qualify for Act 129 fuel-switching incentives. However, our proposed targets for Phase V assume a modest one percent allocation of program budgets to CHP. As stated in the 2026 TRC Test Final Order, EDCs wishing to incentivize fuel switching measures should include in their EE&C plan a proposed minimum standard and provide justification for the threshold to receive program support.

Final Implementation Order (F.I.O.) at 174.

In light of the Commission’s modest proposal to include fuel-switching measures in planning, reporting and excel workbooks would benefit by allowing for a snapshot review using the standardized units to convert and compare energy use, savings, and emissions impacts across all fuel types.

The OCA also submits that if a portfolio includes behavioral reports as a measure, for either residential or commercial customers, in Table 2, those reductions are captured in an individual line item due to the difference in lifetime savings assumptions between behavioral reports and other measures. Reporting them separately prevents misleading lifetime savings if they were lumped together with longer-lived measures, while also allowing the Commission to compare cost-effectiveness by measure type more accurately.

Table 9: Estimated Savings and Participation

Measure ¹	2026 TRM Measure Number	Metric	PY18	PY19	PY20	PY21	PY22	Total ⁴
<i>[Example Measure 1]</i>		Energy Savings (MWh) ²						0
		Summer Demand Reduction (MW)						0
		Winter Demand Reduction (MW)						0
		Projected Participation ³						0
<i>[Example Measure 2]</i>		Energy Savings (MWh)						0
		Summer Demand Reduction (MW)						0
		Winter Demand Reduction (MW)						0
		Projected Participation						0
<i>[Example Measure 3]</i>		Energy Savings (MWh)						0
		Summer Demand Reduction (MW)						0
		Winter Demand Reduction (MW)						0
		Projected Participation						0

¹ Each measure should receive its own row in the table.
² Energy Savings and Demand Reduction should be aggregate (not per-unit) compliance values (not lifetime). Express MW impacts at the system-level (inclusive of line losses).
³ Projected participation should use the same basis as the units shown in Table 7.
⁴ If rows need to be added to accommodate more than 3 measures, ensure total formulas (orange highlighted cells) cover all new rows. Otherwise, do not edit formulas.

The Commission also proposed Table 9, depicted above. If the OCA’s recommendation to include MMBtu savings in Table 1 is adopted, then table 9 should also include the metric MMBtu for each measure.

E. The OCA Proposes Additional Columns to Track Outside Funding be included on Table 11.

Table 9: Estimated Savings and Participation

Measure ¹	2026 TRM Measure Number	Metric	PY18	PY19	PY20	PY21	PY22	Total ⁴
[Example Measure 1]		Energy Savings (MWh) ²						0
		Summer Demand Reduction (MW)						0
		Winter Demand Reduction (MW)						0
		Projected Participation ³						0
[Example Measure 2]		Energy Savings (MWh)						0
		Summer Demand Reduction (MW)						0
		Winter Demand Reduction (MW)						0
		Projected Participation						0
[Example Measure 3]		Energy Savings (MWh)						0
		Summer Demand Reduction (MW)						0
		Winter Demand Reduction (MW)						0
		Projected Participation						0

¹ Each measure should receive its own row in the table.

² Energy Savings and Demand Reduction should be aggregate (not per-unit) compliance values (not lifetime). Express MW impacts at the system-level (inclusive of line losses).

³ Projected participation should use the same basis as the units shown in Table 7.

⁴ If rows need to be added to accommodate more than 3 measures, ensure total formulas (orange highlighted cells) cover all new rows. Otherwise, do not edit formulas.

As acknowledged in the F.I.O. for Phase V, there is an opportunity for outside funding sources to be leveraged with EE&C Plan funding, such as IRA rebates:

The Commission adopts OCA’s suggestion to also track any administrative costs incurred by the EDCs to support the braiding of funds. OCA astutely points out that this tracking is necessary to compare the costs and benefits of a braided funding. As suggested by Duquesne Light in reply comments, these costs should be classified as incentives for cost-effectiveness and other reporting.

F.I.O. at 168.

To track the impact on costs, Table 11 should also reflect any additional funding sources to comply with the adoption of the above. This could be adopted by reflecting two additional columns after the Total Cost column, with one proposed as “Outside Funding” and the next column labeled as “Total EDC and Outside Costs.” This distinction will help those evaluating the plans to determine where outside funding may be leveraged and the potential impact on the programs and measures.

III. CONCLUSION

The Office of Consumer Advocate appreciates the many thoughtful proposals presented through the Commission’s Tentative Implementation Order regarding Phase V of the Act 129 Energy Efficiency and Demand Response Programs. The OCA looks forward to continuing to work with all stakeholders in designing effective programs that benefit all consumers.

Respectfully Submitted,

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