



## City of Philadelphia

LAW DEPARTMENT  
One Parkway  
1515 Arch Street  
17<sup>th</sup> Floor  
Philadelphia, PA 19102

December 26, 2025

*Via Electronic Filing*

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

Re: Petition of PECO Energy Company For  
Approval of its Act 129 Phase V Energy  
Efficiency and Conservation Plan; Docket  
No. M-2025-3057328

Dear Secretary Homsher:

Attached for electronic filing please find the City of Philadelphia and Philadelphia Energy Authority's Petition to Intervene in the above-referenced proceeding. Copies have been served per the attached Certificate of Service.

Respectfully submitted,

*/s/ Laura J. Antinucci*

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Enclosures:

cc: Chief Administrative Law Judge The Honorable Charles E. Rainey, Jr. (via email)  
Matthew L. Homsher, Secretary (via Electronic Filing)  
Certificate of Service

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of PECO Energy Company :  
For Approval of its Act 129 Phase V : Docket No. M-2025-3057328  
Energy Efficiency and Conservation Plan :

CERTIFICATE OF SERVICE

I hereby certify that I have this 26th day of December, 2025 served a true copy of the foregoing Set I Interrogatories of the City of Philadelphia and Philadelphia Energy Authority on the parties, listed below in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a party).

Served via Electronic Mail Only

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Dated: December 26, 2025

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BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of PECO Energy Company :  
For Approval of its Act 129 Phase V : Docket No. M-2025-3057328  
Energy Efficiency and Conservation Plan :

PETITION TO INTERVENE OF THE CITY OF PHILADELPHIA AND THE  
PHILADELPHIA ENERGY AUTHORITY

The City of Philadelphia (“City”), through its counsel at the Philadelphia Law Department, and the Philadelphia Energy Authority (“PEA”), through its counsel at eco(n)law LLC, (together, “Petitioners”) hereby file this Petition to Intervene in the above-captioned proceeding, pursuant to the Rules of Practice and Procedure of the Pennsylvania Public Utility Commission (“PUC” or “Commission”), 52 Pa. Code §§5.71-5.76, and in support thereof, state as follows:

1. On December 1, 2025, PECO Energy Company – Electric Division (“PECO” or “the Company”) filed with the Commission its Petition for Approval of its Act 129 Phase V Energy Efficiency and Conservation Plan (“EE&C Plan”), which was subsequently assigned Docket No. M-2025-3057328.
2. In its EE&C Plan, PECO has proposed to spend a projected \$427.4 million over the five-year phase period (June 1, 2026, through May 31, 2031) to satisfy its Phase V energy savings and PDR targets.
3. The City, a corporation and body politic formed and existing under the laws of the Commonwealth of Pennsylvania, has an estimated 1.56 million residents, with approximately 757,721 households and 30,007 businesses within its borders, according to the 2022 U.S. Census Bureau. Within the City’s Office of the Mayor, the Office of Sustainability works with partners around the city to improve quality of life in all of Philadelphia neighborhoods through advancing environmental justice, reducing the

city's carbon emissions, and preparing Philadelphia for a hotter and wetter future. In addition, the City's Municipal Energy Office, under the Office of Sustainability, promotes municipal energy conservation, efficiency, and emissions reductions by procuring energy and managing utilities, promoting energy conservation and efficiency through the development and implementation of projects and programs, and manages municipal fleet electrification measures as outlined in the Municipal Energy Master Plan and Clean Fleet Plan.

4. The City, including all of its offices and departments, is a large customer of PECO. In calendar year 2023 the City, including its Aviation Department and Water Department, used 643,267,825 kWh of electricity and paid \$19,388,765 to PECO.
5. The City is located at 1401 John F. Kennedy Blvd., Philadelphia, PA 19107.
6. PEA is a body politic and corporate, created by the City of Philadelphia under the Pennsylvania Municipality Authorities Act, 53 Pa. C.S. § 5601 et. seq., established in 2010 with the purpose of building a robust, equitable clean energy economy in Philadelphia. PEA works to make Philadelphia a national model for implementing energy strategies that improve the health and well-being of the community and local economy, including the City's most vulnerable residents. PEA assists the City in the development of long-term energy related projects including energy efficiency projects for City facilities, which are eligible for rebates from PECO under Act 129 (66 Pa. C. S. §2806.1), and renewable energy projects, which are interconnected with the PECO distribution system. PEA also operates programs to install and/or finance the installation of energy efficiency improvements and renewable energy systems for residents and businesses in the City, which are PECO customers, and who are eligible

- for rebates from PECO under Act 129 and/or require interconnection to the PECO distribution system. Many of these programs are directed to low- and moderate-income residents who are also eligible for other PECO programs and tariffs.
7. PEA is located at 30 S. 15<sup>th</sup> Street, Suite 801, Philadelphia, PA 19102.
  8. Pursuant to the PUC's Regulations, "a petition to intervene may be filed by a person claiming a right to intervene or an interest of such nature that intervention is necessary or appropriate to the administration of the statute under which the proceeding is brought." 52 Pa. Code § 5.72(a).
  9. The PUC's Regulations further permit intervention by persons claiming "an interest which may be directly affected and which is not adequately represented by existing participants, and as to which the petitioner may be bound by the action of the Commission in the proceeding." 52 Pa. Code § 5.72(a)(2).
  10. Preliminarily, Petitioners have identified the following issues with PECO's EE&C Plan.
    - a. Petitioners identify a set of cross-cutting concerns with PECO's Phase V Plan that collectively raise questions about whether the proposed portfolio will deliver equitable, durable, and scalable energy efficiency outcomes consistent with Act 129 and Commission guidance. While the Plan frequently references coordination, comprehensiveness, and equity, Petitioners find that many of these commitments lack operational detail, sufficient funding, or enforceable structures. In particular, coordination with housing repair and stabilization programs remains largely aspirational, limiting the ability to deliver deep savings in older, low-income housing stock. Health and Safety funding is

insufficient relative to need, creating continued deferrals and reliance on uncertain external funding. Across residential, low-income, and load management programs, incentives and participation levels are often misaligned with real-world costs, adoption barriers, and the scale of investment required to achieve lasting energy and bill savings.

- b. Petitioners are also concerned that PECO’s savings strategy relies heavily on low-cost, low-impact measures and behavioral programs, including Home Energy Reports, which account for a substantial share of projected savings despite their non-physical and time-limited nature. This reliance risks lowering the effective bar for compliance while crowding out investment in capital-intensive measures that provide sustained benefits. In the non-residential sector, large commercial and institutional customers face structural barriers to participation due to cost recovery design, limited incentive pathways for complex projects, and verification requirements that do not reflect operational realities. Finally, petitioners question PECO’s broad application of the “comprehensive” label to individual prescriptive measures, which appears inconsistent with the Commission’s intent that comprehensive programs deliver integrated, whole-building solutions. Collectively, these issues warrant Petitioners’ intervention to ensure that the Phase V Plan is clarified, rebalanced, and strengthened to better align with statutory objectives, equity goals, and real-world implementation conditions.

11. Petitioners reserve the right to raise additional issues that may arise throughout the proceeding.

12. The Commission's disposition of the EE&C Plan will impact the initiatives undertaken by Petitioners to meet their respective purposes of promoting and expanding the infrastructure needed for clean, green, and sustainable energy future for all Philadelphians., consistent with 52 Pa. Code § 5.72(a)(2), Petitioners have an interest that may be directly affected by this proceeding and that is not represented by any other party of record. Consequently, Petitioners should be granted intervenor status in this proceeding.
13. Petitions to intervene shall be filed no later than the date fixed for filing protests as published in the Pennsylvania Bulletin except for good cause shown. 52 Pa. Code §5.74(b)(2). Petitioners timely submit this petition.
14. Petitioners are represented by:

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Counsel for Petitioners consent to the service of documents by electronic mail to the email addresses of counsel listed above, as provided in 52 Pa. Code §1.54(b)(3).

WHEREFORE, Petitioners respectfully request that the Public Utility Commission enter an order granting the City and PEA full status as interveners in this proceeding with active party status and grant such other relief as is just and appropriate.

Date: December 26, 2025

Respectfully submitted,

*/s/ Laura Antinucci*  
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