



January 2, 2026

Via E-Mail Only

The Honorable Marta Guhl
Administrative Law Judge
Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
801 Market Street, Suite 4063
Philadelphia, PA 19107
mguhl@pa.gov

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

Prehearing Memorandum of CAUSE-PA

Your Honor:

Please find the attached **Prehearing Memorandum of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA)** in the above-noted proceeding.

As indicated on the attached Certificate of Service, service on the parties was accomplished by email only.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Levi A. Phillips".

Levi A. Phillips, Esq.
Counsel for CAUSE-PA

CC: Secretary Matthew L. Homsher (via E-file)
Certificate of Service

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

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

**PREHEARING MEMORANDUM
OF THE COALITION FOR AFFORDABLE UTILITY SERVICES
AND ENERGY EFFICIENCY IN PENNSYLVANIA**

PENNSYLVANIA UTILITY LAW PROJECT

Counsel for CAUSE-PA

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January 02, 2026

On December 30, 2025, a Prehearing Conference Order (December 30 Order) was issued by the Honorable Administrative Law Judge Marta Guhl (ALJ). The December 30 Order set a telephonic prehearing conference for Monday, January 5, 2026, at 1:00 p.m., and requires parties to file a Prehearing Memorandum no later than Friday, January 02, 2026. In response, the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA), through its counsel at the Pennsylvania Utility Law Project, hereby files this Prehearing Memorandum.

I. HISTORY OF PROCEEDING

Act 129 of 2008 (Act 129) charged the Commission with the task of developing an energy efficiency and conservation program (EE&C Program). The Act also established energy efficiency (EE) and peak demand reduction (PDR or DR) targets that each electric distribution company (EDC) with at least 100,000 customers must meet. Pursuant to Section 2806.1(C)(3) of Act 129, the Commission was charged with evaluating the costs and benefits of the EE&C Program by November 30, 2013, and every five years thereafter.

On June 18, 2025, after receiving comments and reply comments from a broad range of interested parties, including CAUSE-PA, the Commission issued its Energy Efficiency and Conservation Phase V Implementation Order (Implementation Order), setting consumption reduction and demand reduction targets for each EDC with at least 100,000 customers.

On December 1, 2025, pursuant to the Implementation Order, PECO Energy Company (PECO) filed a Petition for Approval of Its Act 129 Phase V Energy Efficiency and Conservation Plan in the above-captioned docket.

On December 2, 2025, CAUSE-PA filed a Petition to Intervene and Answer in the above-captioned matter. In its Petition to Intervene and Answer, CAUSE-PA requested that it be granted full status as an intervener with active party status in the above-captioned matter and identified several issues present in PECO's filing that required further investigation and hearings. Such issues are discussed in further detail below.

II. ISSUES TO BE PRESENTED

CAUSE-PA has conducted an initial review of PECO's proposed Phase V Plan and has identified several issues present in PECO's filing that require further investigation and hearing. CAUSE-PA anticipates that further issues may arise through more comprehensive review of PECO's filing.

CAUSE-PA has identified the following specific issues of concern which must be addressed in this proceeding:

- a. Whether the Company's proposed programs and identified measures within those programs satisfy the requirements of Act 129 and the Commission's Orders. These requirements include but are not limited to the requirement that low-income households are provided with proportionate measures,¹ and that PECO obtain at least 74,456 MWh of savings from specific low-income programs or low-income verified participants in multifamily housing programs;²
- b. Whether the Company's proposed plan is designed to meet its low income

¹ Final Implementation Order at 54; see 66 Pa. C.S. § 2806.1(b)(1)(i)(G).

² Final Implementation Order at 53, 55, 71.

- savings target without the use of carryover savings;
- c. Whether the proposed programs and measures are appropriately designed to produce projected savings for participants in multifamily housing programs;
 - d. Whether the Company's multifamily programs are sufficiently designed to reach and impact low-income households regardless of whether they reside in multifamily buildings that are individually metered or master-metered;
 - e. Whether the proposed plan is designed to ensure that expenditures achieve maximum lifetime energy savings;
 - f. Whether the proposed plan properly focuses on direct-install measures for low-income customers;
 - g. Whether the proposed plan adequately provides comprehensive measures for low-income households;
 - h. Whether the delivery of plan measures is appropriately coordinated with available state and federally funded energy efficiency programming,
 - i. Whether the delivery of measures to low-income households is appropriately coordinated with other low-income bill assistance and energy conservation programming operating within the Company's respective service territory; and
 - j. Whether the delivery of plan measures is appropriately coordinated between Conservation Service Providers (CSPs) serving low-income populations.

CAUSE-PA asserts that the issues identified above, along with any future issues identified by interested parties, must be thoroughly reviewed to address aspects of the Company's EE&C

Plan that could impair the ability of low-income households to access meaningful energy savings through the Plan's programs and to ensure that the Plan provides equitable and proportionate benefits to low-income households. Without investigation of the above-stated issues, the Company's filing could result in unjust and unreasonable terms and conditions and impose inequitable measures and benefits to low-income customers in the Company's service territories.

III. WITNESSES

Together with the Tenant Union Representative Network (TURN), CAUSE-PA intends to jointly sponsor the following expert witness to testify in this matter, and reserves the right to call additional witnesses as may be warranted upon proper notice to Your Honor and the parties:

Jim Grevatt
Energy Futures Group, Inc.
P.O. Box 587
Hinesburg, VT 05461
802-373-2488
jgrevatt@energyfuturesgroup.com

Mr. Grevatt will address the issues identified above, as well as other issues that may arise in the course of this proceeding.

IV. REPRESENTATION OF CAUSE-PA AND SERVICE

CAUSE-PA is represented in this proceeding by counsel at the Pennsylvania Utility Law Project, and requests consolidated service as follows:

John W. Sweet, Esq., PA ID: 320182
Levi A. Phillips, Esq. PA ID: 338477
Elizabeth R. Marx, Esq., PA ID: 309014
Ria M. Pereira, Esq., PA ID: 316771
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For purposes of the Prehearing Conference in this matter, the primary speaker on behalf of CAUSE-PA will be John W. Sweet, Esq.

CAUSE-PA requests that parties agree to electronic service in this proceeding.

V. LITIGATION SCHEDULE

CAUSE-PA is actively engaged in discussions with the parties to arrive at a mutually agreeable schedule for litigation in this proceeding. In the absence of a mutually agreed upon schedule between parties, CAUSE-PA proposes the following procedural schedule:

Other Parties' Direct Testimony:	January 20, 2026
Rebuttal Testimony:	January 27, 2026
Evidentiary Hearing:	February 2, 2026
Main Briefs or Petition for Settlement / Statements in Support:	February 12, 2026
Reply Comments/Revised Plan:	February 23, 2026

VI. SETTLEMENT

CAUSE-PA is willing and ready to engage in settlement discussions in an attempt to resolve or narrow the issues in this proceeding, with any and all parties, and encourages the parties to engage in settlement early in the process.

VII. DISCOVERY

CAUSE-PA is involved in discussions with the parties regarding mutually agreeable modifications related to discovery in this proceeding. CAUSE-PA supports the discovery modifications proposed by the Office of Consumer Advocate (OCA) in this matter. In addition, CAUSE-PA requests that any approved discovery modifications in this matter be considered

effective as of the date of the prehearing conference, as opposed to the date of a subsequent Prehearing Order.

WHEREFORE, CAUSE-PA respectfully submits this Prehearing Memorandum.

Respectfully submitted,

PENNSYLVANIA UTILITY LAW PROJECT
Counsel for CAUSE-PA



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Certificate of Service

I hereby certify that I have this day served copies of the **Prehearing Memorandum of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania** upon the parties of record in the above captioned proceeding in accordance with the requirements of 52 Pa. Code § 1.54.

Via Email

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Respectfully Submitted,

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