

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PECO Energy Company for Approval of its :
Act 129 Phase V Energy Efficiency and :
Conservation Plan :
:
:

Docket No.: M-2025-3057328

**PRE-HEARING CONFERENCE MEMORANDUM FOR THE PETITION TO
INTERVENE OF THE CITY OF PHILADELPHIA AND THE PHILADELPHIA
ENERGY AUTHORITY**

Pursuant to Section 333 of the Public Utility Code, 66 Pa. C.S. Section 333, and in response to the Prehearing Conference Order in the above-captioned matter, the City and PEA (together, Intervenors) provide the following information:

Introduction

Act 129 of 2008 (Act 129 or the Act) made amendments to Chapter 28 of the Public Utility Code that required the seven major electric distribution companies (EDCs) to file with the Commission and to carry out energy efficiency and conservation plans meeting requirements established by the Commission. On December 1, 2025, PECO Energy Company (the Company) filed the Petition of PECO Energy Company for Approval of its Act 129 Phase V Energy Efficiency and Conservation Plan (Petition), pursuant to Section 2806.1 of the Public Utility Code and pursuant to the Phase V Implementation Order entered by the Commission at Docket No. M-2025-3052826 on June 18, 2025.

The Office of Consumer Advocate (OCA) and Office of Small Business Advocate (OSBA) have filed Notices of Intervention, and Petitions to intervene have been filed by the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA) the Tenant Union Representative Network (TURN), the Philadelphia Area Industrial Energy Users Group (PAIEUG), and jointly by the City and PEA. The filing was assigned to the Office of Administrative Law Judge and further assigned to Administrative Law Judge Marta Guhl (ALJ) for investigation. On December 30, 2025, the ALJ issued a Prehearing Conference Order.

Prehearing Conference

A Prehearing Conference on this matter will be held on January 5, 2026.

1. As explained further in their Petition to Intervene, the City and PEA have intervened to raise the following issues and ensure that PECO's Phase V Plan is clarified, rebalanced, and strengthened to align with statutory objectives in Act 129 and Commission guidance:
 - a. The City and PEA raise concerns that PECO's Phase V Plan lacks sufficient coordination with existing housing repair and stabilization programs, limiting its ability to deliver deep savings in older, low-income housing stock, and lacks sufficient health and safety funding.
 - b. The City and PEA also raise concerns with PECO's savings strategy, which relies on low-cost, low-impact measures and behavioral programs, and crowds out measures that provide sustained savings.
2. The City and PEA do not plan to submit any interrogatories at this time and will be prepared to respond with the identity of witnesses, if any, at the Prehearing Conference. They wish to review all the submitted testimony and responses, to respond to issues

that arise during the proceeding, and to participate in any scheduled conferences via attendance, comment or other actions as necessary.

3. The City and PEA did not receive direct notice of the ALJ's order and respectfully request confirmation of their status as intervenors.

Service on the City and PEA

The City and PEA are represented in this matter by the attorneys listed below and consent to the service of documents by electronic mail to their attorneys as provided in 52 Pa. Code §1.54(b)(3).

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Proposed Schedule and Settlement

The City and PEA will participate in settlement discussions in this matter. They have not had the opportunity to consult with other parties about the schedule but are prepared to be flexible in those discussions.

Respectfully submitted,

A handwritten signature in blue ink, reading "C. Baird Brown", is written over a horizontal line. The signature is cursive and extends slightly below the line.

C. Baird Brown (Pa. No. 32749)

Principal

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December 31, 2025

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CERTIFICATE OF SERVICE

I hereby certify that I have this 31st day of December 2025 served a true copy of the foregoing Prehearing Conference Memorandum 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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Respectfully submitted,

A handwritten signature in blue ink, appearing to read "C. Baird Brown", with a long horizontal flourish extending to the right.

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December 31, 2025