



Aron Beatty, Esquire
Regulatory Counsel IV,
Regulatory Law

Duquesne Light Company
800 N. Third Street, Suite 203
Harrisburg, PA 17102

Tel: 412-393-6563
abeatty@duqlight.com

February 13, 2026

Via Electronic Filing

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

**RE: Petition of Duquesne Light Company for Approval of its Phase V Energy
Efficiency and Conservation Plan
Docket No. M-2025-3057325**

Dear Secretary Homsher:

Enclosed for filing please find the Joint Petition for Full Settlement in the above-captioned matter, including statements in support from all signatories.

Copies of this filing have been served in accordance with the attached Certificate of Service. If you have any questions about this filing, please feel free to contact me.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Aron J. Beatty".

Aron J. Beatty, Esq.
Regulatory Counsel, IV
Regulatory Law

Enclosures

CC: Certificate of Service
ALJ Erin L. Gannon

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant):

ELECTRONIC MAIL

Steven C. Gray, Esquire
Office of Small Business Advocate
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
sgray@pa.gov

Meagan Moore, Esquire
Peoples Natural Gas Company LLC
375 North Shore Drive, Suite 600
Pittsburgh, PA 15212
Meagan.moore@peoples-gas.com

Justin L. Carpenter, Esquire
Keystone Energy Efficiency Alliance
614 South 4th Street #307
Philadelphia, PA 19147
jcarpenter@keealliance.org

Katherine Kennedy, Esquire
Janna Williams, Esquire
Christy Appleby, Esquire
Office of Consumer Advocate
555 Walnut Street, Fifth Floor
Harrisburg, PA 17101
kkennedy@paoca.org
jwilliams@paoca.org
cappleby@paoca.org

John Sweet, Esquire
Levi A. Phillips, Esquire
Pia M. Pereira, Esquire
Lauren N. Berman, Esquire
Pennsylvania Utility Law Project
118 Locust Street
Harrisburg, PA 17101
pulp@pautilitylawproject.org

Date: February 13, 2026



Aron J. Beatty, Esq.
Duquesne Light Company
800 N. Third Street, Suite 203
Harrisburg, PA 17102
Phone: 412-292-6563
Email: abeatty@duqlight.com

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Duquesne Light Company : M-2025-3057325
for Approval of its Act 129 Phase V Energy :
Efficiency and Conservation Plan :

JOINT PETITION FOR FULL SETTLEMENT

TO THE HONORABLE ERIN L. GANNON, ADMINISTRATIVE LAW JUDGE:

I. INTRODUCTION

1. Duquesne Light Company (“Duquesne Light”), the Office of Consumer Advocate (“OCA”), the Office of Small Business Advocate (“OSBA”), and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (“CAUSE-PA”), parties to the above-captioned proceeding (hereinafter collectively referred to as the “Joint Petitioners”), hereby join in this Joint Petition for Full Settlement and respectfully request that the Pennsylvania Public Utility Commission (“Commission”) approve the Settlement as set forth below. This Settlement has been agreed to or not opposed by all active parties to this proceeding.¹

2. As set forth fully below, the Joint Petitioners have agreed to a settlement of all issues raised by the parties to this proceeding. The Settlement provides for approval of Duquesne Light’s Phase V Energy Efficiency & Conservation (“EE&C”) Plan with certain modifications and clarifications as agreed upon by the Joint Petitioners. In support of this Petition, the Joint Petitioners state the following:

¹ Peoples Natural Gas Company LLC and the Keystone Energy and Efficiency Alliance intervened in this proceeding. Neither party opposes this Settlement.

II. BACKGROUND

3. Duquesne Light is a public utility as the term is defined under Section 102 of the Public Utility Code, 66 Pa.C.S. § 102, certificated by the Commission to provide electric service in the City of Pittsburgh and in Allegheny and Beaver Counties in Pennsylvania. Duquesne Light is also an electric distribution company (“EDC”) and a default service provider as those terms are defined under Section 2803 of the Public Utility Code. 66 Pa.C.S. § 2803. Duquesne Light provides electric distribution service to over 600,000 customers.

4. On December 1, 2025, pursuant to Act 129 of 2008 (“Act 129”), Duquesne Light filed the above-captioned Petition with the Commission, requesting approval of its Phase V Energy Efficiency and Conservation (“EE&C”) Plan. Act 129, which became effective on October 15, 2008, created, inter alia, an energy efficiency and conservation program, codified in the Pennsylvania Public Utility Code, 66 Pa.C.S. §§ 2806.1 and 2806.2. This program required each EDC with at least 100,000 customers to adopt and implement a Commission-approved EE&C Plan. EE&C Plans are programs designed to achieve the Act 129 conservation and peak load reduction requirements, by specified dates, within the specified cost cap.

5. Duquesne Light’s Phase V Plan was filed pursuant to the Commission’s *Energy Efficiency and Conservation Phase V Implementation Order* (“*Phase V Implementation Order*”).² For Duquesne Light, the Phase V Implementation Order adopted a consumption reduction target for the five-year Phase V period of at least 261,583 MWh, and a demand reduction target of 46.5 MW.³

² *Energy Efficiency and Conservation Program*, Docket No. M-2025-3052826 (*Phase V Implementation Order* entered on June 18, 2025)

³ *Phase V Implementation Order* at 12.

6. Consistent with the requirements set forth in Act 129 and the Commission's *Phase V Implementation Order*, Duquesne Light's Phase V Plan covers the period from June 1, 2026 through May 31, 2031 and (a) includes measures to achieve or exceed the required reductions and states the manner in which the consumption reductions will be achieved or exceeded; (b) complies with the designated expenditure cap of 2% of 2006 Annual Revenues over the five-year plan; (c) achieves a total cumulative energy reduction of at least 261,583 MWh by May 31, 2031 with at least 15% of the savings compliance target being achieved in each of the five program years; (d) achieves a minimum of 5.3% of the total required reductions from the low-income customer sector by May 31, 2031; (e) includes a proportionate number of energy efficiency measures for low income households as compared to those households' share of the total energy usage in the service territory; (f) offers at least one comprehensive program for residential customers and at least one comprehensive program for non-residential customers; (g) achieves peak demand reductions of at least 46.5 MW; (h) includes a contract with one conservation service provider ("CSP"); (i) includes an analysis of administrative costs of the plan; (j) includes a reconcilable adjustment clause tariff mechanism in accordance with 66 Pa.C.S. § 1307; and (k) demonstrates that the Phase V Plan is cost-effective based on the Commission's Total Resource Cost Test ("TRC").

7. In conjunction with the filing of its Phase V EE&C Plan, Duquesne Light filed the Direct Testimony of David Defide (Duquesne Light Statement No. 1) explaining the methodology employed to analyze, develop, and implement Duquesne Light's Phase V plan; and the Direct Testimony of David Ogden (Duquesne Light Statement No. 2) detailing Duquesne Light's proposed cost recovery mechanism.

8. On December 2, 2025, CAUSE-PA filed its Petition to Intervene and Answer in this proceeding.

9. On December 2, 2025, CAUSE-PA issued Set I Interrogatories and Requests for the Production of Documents to Duquesne Light.

10. On December 8, 2025, CAUSE-PA issued Set II Interrogatories and Requests for the Production of Documents to Duquesne Light.

11. On December 12, 2025, the OCA filed its Notice of Intervention and Public Statement in this proceeding. Also on December 12, 2025, OCA issued Set I of its Interrogatories to Duquesne Light.

12. On December 18, 2025, CAUSE-PA issued Set III Interrogatories and Requests for the Production of Documents to Duquesne Light.

13. On December 19, 2025, the OSBA filed its Notice of Intervention and Public Statement in this proceeding.

14. This matter was assigned to Administrative Law Judge (“ALJ”) Erin L. Gannon, and on December 30, 2025, a Prehearing Conference Order was issued in this proceeding. The Prehearing Conference Order scheduled a Prehearing Conference for January 6, 2026, and directed the parties to file prehearing conference memoranda on or before January 5, 2026.

15. On January 3, 2026, notice of Duquesne Light’s Petition was published in the Pennsylvania Bulletin. The notice established a deadline of January 18, 2026 for the filing of comments on, and responsive pleadings to, the Company’s Phase V EE&C Plan.

16. On January 5, 2026, OCA issued Set II Interrogatories and Requests for the Production of Documents to Duquesne Light.
17. On January 6, 2026, the Keystone Energy Efficiency Alliance (“KEEA”) filed its Notice of Intervention and Public Statement in this proceeding.
18. On January 6, 2026, Peoples Natural Gas Company, LLC filed its Notice of Intervention and Public Statement in this proceeding.
19. The Prehearing Conference was held on January 6, 2026. On January 9, 2026, ALJ Erin L. Gannon issued a Scheduling Order which granted the Petitions to Intervene that were filed prior to the Prehearing Conference and established a litigation schedule for the proceeding.
20. On January 9, 2026, a Call-In Telephonic Evidentiary Hearing Notice was issued in this proceeding. The Call-In Telephonic Evidentiary Hearing Notice scheduled a Telephonic Evidentiary Hearing for February 4, 2026.
21. On January 20, 2026, KEEA, CAUSE-PA and OCA submitted Direct Testimony of their respective witnesses in the proceeding.
22. On January 28, 2026, OSBA submitted Rebuttal Testimony of their respective witness in the proceeding.
23. On January 28, 2026, Duquesne Light Company submitted Rebuttal Testimony of their respective witness in the proceeding.
24. During the course of this proceeding, Duquesne Light provided responses to interrogatories and requests for production of documents propounded by multiple parties, in

addition to providing additional information regarding its Phase V EE&C Plan to the parties during informal discussions.

25. A telephonic evidentiary hearing was held on February 4, 2026. During the hearing, ALJ Gannon admitted the Duquesne Light Phase V EE&C plan, as filed, and all previously served testimony into the evidentiary record.

26. The parties were involved in discussions over the course of the proceeding. As a result of those discussions and the efforts of the Joint Petitioners to examine the issues in this proceeding, a full settlement in principle was achieved by the Joint Petitioners. The parties informed ALJ Gannon of the achievement of a full settlement on February 9, 2026.

27. The Joint Petitioners have agreed to a Settlement with respect to all issues related to Duquesne Light's Phase V EE&C Plan, and the Joint Petitioners are in full agreement that the Settlement is in the public interest and should be approved by the Commission without modification.

28. The Settlement Terms are set forth in the following Section III.

III. SETTLEMENT TERMS

29. The following terms of Settlement reflect a carefully balanced compromise of the interests of all of the Joint Petitioners in this proceeding. The Joint Petitioners agree that the Settlement, as a whole, provides a reasonable resolution of the issues raised by the various parties in the previously submitted Notices of Intervention, Petitions to Intervene, and Testimony, and that approval of the Settlement is in the public interest.

The plan as filed will be approved with the following modifications:

30. Residential Midstream Program Ramp-Up: Residential midstream program forecast will be adjusted over the years of Phase V. The current plan distributes the program savings (MWh) as follows (Table 2):

PY18	PY19	PY20	PY21	PY22	TOTAL
3,745	3,958	4,027	4,099	4,171	20,000
18.7%	19.8%	20.1%	20.5%	20.9%	100%

Under the Settlement, the program will be planned as follows (MWh):

PY18	PY19	PY20	PY21	PY22	TOTAL
2,000	3,800	5,000	5,200	4,000	20,000
10%	19%	25%	26%	20%	100%

31. The Company’s Independent Evaluator will conduct an evaluation of this program during PY19 in accordance with their approved evaluation plan.

32. Residential Market Rate Comprehensive Program: the Plan will be modified to include a comprehensive audit offering through the Residential Online Marketplace program for the 5-year phase with a targeted focus on homes with electric resistance heat that are well positioned to achieve deeper energy savings. This will increase forecasted program delivery costs. Duquesne will shift the necessary budget from the Large Industrial Program to the Residential Online Marketplace Program’s budget which will facilitate comprehensive market-rate activity.

33. The nonresidential forecast in the plan will reduce the contribution of lighting savings from 46.4 to 36.4 percent. This will increase forecasted program delivery costs. The lighting savings being reduced will be reallocated to more comprehensive measures with longer

measure lives. Duquesne will shift the necessary budget from the Large Industrial Program to the Small-Medium C&I and Large Commercial Programs.

34. Residential Behavioral Measures: DLC will work with the Company's implementation contractor to enhance Home Energy Report (HER) recommendations to emphasize comprehensive energy efficiency measures with longer measure lives. In addition, the Company will work with the CSP to include low-income program and enrollment information in all Residential Behavioral Energy Efficiency Program (R-BEEP) communications.

35. Low Income Behavioral forecast will be reduced from a forecasted 4,200 MWh (22.18%) to 2,500 MWh or 13.2% of the carve-out.

36. Health and Safety. DLC will agree to add a Health and Safety remediation program to its Plan in the amount of \$600,000. This program will only be used for projects that will result in low-income savings. DLC agrees to pursue Health and Safety remediation in coordination with other available programs. This activity will be funded through the existing Low Income Energy Efficiency Program (LIEEP) budget.

37. Duquesne Light will agree to hold a stakeholder meeting regarding front-of-the-meter (FTM) measures if/when such a custom project is identified. The Company will consider feedback and suggestions from the parties.

- a. If the Company implements the FTM program, no FTM costs shall be paid from the low income program budget, and no FTM savings shall be assigned or allocated to the low-income customer savings carve-out requirement.
- b. The parties' agreement to this provision does not constitute agreement as to the prudence or cost-effectiveness of any proposed FTM program, and the parties expressly reserve the right to challenge the FTM program in an appropriate filing or in subsequent phases.

38. Duquesne Light's Interconnection Department and the Company's Phase V CSPs will develop a coordination process to streamline the interconnection process and Act 129 participation within 9 months of the PUC Plan approval and will share it with the parties.

39. DLC will host three multifamily collaborative meetings during the first three years of its Phase V plan. These collaboratives will focus on Act 129 programming and will be held as a standalone meeting, separate from its Income Eligible Advisory Group (IEAG).

- a. The objective of these multifamily collaborative meetings will be to identify ways to improve participation, enhance coordination with housing programs, and improve the delivery of comprehensive efficiency services to affordable multifamily housing.
- b. DLC will work with interested parties to this proceeding to identify interested stakeholders, including but not limited to housing authorities, providers, developers, and associations; local and state agency staff; and community-based organizations.
- c. Specific topics to be addressed, based on the approved Phase V Plan, may include: (1) data sharing, (2) incentive levels, (3) marketing and outreach, (4) coordination and braiding with other state and local programs, (5) streamlined application, (5) categorical eligibility, and (6) other topics of concern identified by meeting participants.
- d. At each meeting, DLC will provide an update on measure-level spending and production levels for multifamily projects, as well as the following data:
 - the number of and reasons for multifamily LIEEP jobs that do not move forward,
 - the total number of multifamily LIEEP baseload and heating jobs, separately tracked based on meter type; and
 - the average multifamily job cost and energy savings.
- e. In year five of DLC's Phase V plan, DLC will convene an additional collaborative focused on gathering input on potential Phase VI multifamily programming.

40. DLC will continue to report on low income Act 129 program data at least annually during its quarterly IEAG meetings, and will discuss ways to improve coordination with community-based organizations, weatherization, energy efficiency, and housing repair programs in DLC's service territory. Consistent with the Phase IV settlement agreement, DLC will continue to track and report on the following information and data at these IEAG meetings:

- a. the number of and reasons for LIEEP jobs that do not move forward, separately tracked for low income single-family, master-metered multifamily, and individually metered multifamily properties;
- b. the total number of LIEEP baseload and heating jobs, separated by the following segments: (1) low income single family tenants; (2) low income single family homeowners; (3) low income master-metered multifamily units; (4) low income individually metered multifamily tenant units; and
- c. the average LIEEP job costs and energy savings.

IV. THE SETTLEMENT IS IN THE PUBLIC INTEREST

41. This Settlement was achieved by the Joint Petitioners after an investigation of Duquesne Light's proposed Phase V EE&C Plan, including informal and formal discovery and the submission of Direct Testimony and Rebuttal Testimony by a number of the Joint Petitioners.

42. Approval of this Settlement will avoid further administrative and possibly appellate proceedings in this case regarding the issues resolved herein, thereby avoid substantial additional costs to the Joint Petitioners, the Commission, and Duquesne Light's customers.

43. Duquesne Light, OCA, OSBA, and CAUSE-PA are in full agreement and respectfully submit that expeditious Commission approval and adoption of the Settlement is in the best interests of all parties and Duquesne Light's customers.

44. The Joint Petitioners have submitted, along with this Settlement Petition, their respective Statements in Support, setting forth the basis upon which each believes the Settlement to be fair, just, and reasonable and therefore in the public interest. The Joint Petitioners' Statements in Support are attached hereto as Appendices "A" through "D".

V. CONDITIONS OF SETTLEMENT

45. This Settlement, proposed by the Joint Petitioners to settle the instant case, is made without any admission against, or prejudice to, any position which any Joint Petitioner might adopt during subsequent litigation, including further litigation of this case if this Joint Petition is rejected by the Commission or withdrawn by any of the Joint Petitioners as provided below.

46. This Settlement is conditioned upon the Commission's approval of the terms and conditions contained herein without any modification. If the Commission should disapprove the Settlement or modify the terms and conditions herein, then any Joint Petitioner may withdraw from this Settlement by providing written notice to the Commission's Secretary and all active parties within five (5) business days following entry of any Commission Order modifying the Settlement.

47. In the event that the Commission disapproves the Settlement, or any other Joint Petitioner elects to withdraw as provided above, the Joint Petitioners reserve their respective rights to fully litigate this case, including, but not limited to, presenting additional testimony, conducting cross-examination, and making legal arguments through submission of Briefs.

48. This Settlement and its terms and conditions may not be cited as precedent in any future proceedings, except to the extent required to implement this Settlement.

49. The Commission's approval of the Settlement shall not be construed to represent approval of any Joint Petitioner's position on any issue, except to the extent required to effectuate the terms and agreements of the Settlement.

50. It is understood and agreed among the Joint Petitioners that the Settlement is the result of compromise, and does not necessarily represent the position(s) that would be advanced by any Joint Petitioner in these proceedings if they were fully litigated.

51. This Settlement is being presented only in the context of these proceedings in an effort to resolve the proceedings in a manner which is fair and reasonable. The Settlement is the product of compromise between and among the Joint Petitioners. This Settlement is presented without prejudice to any position that any of the Joint Petitioners may have advanced and without prejudice to the position any of the Joint Petitioners may advance in the future on the merits of the issues in future proceedings except to the extent necessary to effectuate the terms and conditions of this Settlement.

52. If the Commission adopts the Settlement without modification, the Joint Petitioners waive their individual rights to file Exceptions, requests for modification or clarification, and/or appeals with regard to the Settlement.

53. This Joint Petition may be executed in any number of counterparts, all of which taken together shall constitute one and the same instrument.

54. Each term and condition set forth in this Joint Petition, whether or not set out in a numbered paragraph, shown in a table or other graphic presentation, bolded, italicized, or otherwise emphasized, or set forth in the body, a footnote, a parenthetical, an appendix, an

exhibit, or otherwise, is material consideration to the entry into this Settlement by the signatory parties.

55. Unless otherwise expressly indicated, all terms and conditions contained herein shall take effect upon issuance of a final order in this proceeding, without the need or requirement for additional Commission review or approval.

VI. CONCLUSION

WHEREFORE, the Joint Petitioners, by their respective counsel, respectfully request as follows:

1. That the Commission approves this Settlement including all terms and conditions thereof, without modification;
2. That Duquesne Light be permitted to implement its proposed Phase V EE&C Plan, as modified by this Settlement; and
3. That the Commission enter an Order consistent with this Settlement.

Respectfully submitted:

For: Duquesne Light Company



Aron J. Beatty, Esq.
Duquesne Light Company
800 N. Third Street, Suite 203
Harrisburg, PA 17102
Phone: 412-292-6563

Date: February 13, 2026

For: Office of Consumer Advocate

/s/ Katherine Kennedy

Katherine Kennedy, Esquire
Janna E. Williams, Esquire
Ryan Morden, Esquire
Office of Consumer Advocate
555 Walnut Street, 5th Floor
Harrisburg, PA 17101

Date: February 13, 2026

For: Office of Small Business Advocate

/s/ Steven C. Gray

Steven C. Gray, Esquire
Office of Small Business Advocate
Forum Place
555 Walnut Street, 1st Floor
Harrisburg, PA 17101

Date: February 13, 2026

For: CAUSE-PA

A handwritten signature in blue ink that reads "John Sweet". The signature is written in a cursive style with a large, stylized "J" and "S".

John Sweet, Esquire
Levi A. Phillips, Esquire
Elizabeth R. Marx, Esquire
Ria M. Pereira, Esquire
Lauren N. Berman, Esquire
PA Utility Law Project
118 Locust Street
Harrisburg, PA 17101

Date: February 13, 2026

LIST OF APPENDICES

APPENDIX A.....	Duquesne Light Company Statement in Support
APPENDIX B.....	OCA Statement in Support
APPENDIX C.....	OSBA Statement in Support
APPENDIX D.....	CAUSE-PA Statement in Support

APPENDIX A

DUQUESNE LIGHT STATEMENT IN SUPPORT OF SETTLEMENT

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Duquesne Light Company : M-2025-3057325
for Approval of its Act 129 Phase V Energy :
Efficiency and Conservation Plan :

STATEMENT OF DUQUESNE LIGHT COMPANY
IN SUPPORT OF JOINT PETITION FOR FULL SETTLEMENT

TO THE HONORABLE ERIN L. GANNON, ADMINISTRATIVE LAW JUDGE:

I. INTRODUCTION

The Duquesne Light Company (“Duquesne Light” or “Company”) hereby submits this Statement in Support of the Joint Petition for Full Settlement in the above-captioned proceeding (the “Settlement”), entered into by Duquesne Light, the Office of Consumer Advocate (“OCA”), the Office of Small Business Advocate (“OSBA”), and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (“CAUSE-PA”), parties to the above-captioned proceeding (hereinafter collectively referred to as the “Joint Petitioners”).¹ Duquesne Light respectfully requests that the Pennsylvania Public Utility Commission (“Commission”) approve the Settlement, including the terms and conditions thereof, without modification.

The Settlement resolves several issues raised by the parties to this proceeding. During this proceeding, Duquesne Light provided responses to numerous interrogatories and requests for production of documents propounded by multiple parties. Duquesne Light also provided additional information regarding its Phase V EE&C Plan to the parties during informal discussions. The Settlement reflects a carefully balanced compromise of the interests of all of the

¹ Peoples Natural Gas Company LLC and the Keystone Energy and Efficiency Alliance intervened in this proceeding. Neither party opposes this settlement.

Joint Petitioners in this proceeding. The Joint Petitioners unanimously agree that the Settlement resolves all of the issues raised by the various parties in the previously submitted Notices of Intervention, Petitions to Intervene and Testimony, and that approval of the Settlement is in the public interest. For the reasons set forth in the Joint Petition and the reasons set forth below, the Settlement is just and reasonable and should be approved without modification. In support thereof, Duquesne Light states as follows:

II. DUQUESNE LIGHT'S PHASE V EE&C PLAN

Duquesne's Phase V EE&C Plan, DLC Exhibit 1, is designed to meet the Company's Phase V consumption reduction and demand reduction targets, and to comply with the other requirements set forth in the Commission's Phase V Implementation Order. The Phase V Plan includes a range of energy efficiency programs for residential, commercial and industrial customers. These programs are the key components of a comprehensive electric energy efficiency initiative designed to achieve the required 261,583 MWh of reduced energy consumption and the required demand reduction of 46.5 MW.

The Company's EE&C Phase V Plan initially included the following programs that reduce consumption for each customer class. The chart below detailed the Company's proposed programs and expected consumption reductions:

Program	Savings MWh	Savings MW
Residential Appliance Recycling	6,126	1.145
Residential Online Marketplace	6,500	3.015
Residential Midstream Incentives	20,000	1.086
Residential Low-Income Energy Efficiency	16,932	6.265
Residential Behavioral Energy Efficiency	30,200	7.050
Residential Low-Income Behavioral Efficiency	4,200	0.890
Small-Medium Nonresidential Efficiency	76,000	11.748
Large Commercial Sector Efficiency	50,000	8.504
Large Industrial Sector Efficiency	40,000	5.329
Public Agency Partnership (GNI)	24,704	3.155
Total Portfolio	274,663	48.2

These programs are further detailed in Section 3 of DLC Exhibit 1, Program Descriptions.

Duquesne Light’s Phase V EE&C Plan includes a total of ten programs: six programs targeting the residential sector; one program targeting the small/medium commercial and industrial sector; and three programs targeting the large commercial/industrial sectors. The proposed Phase V programs are as follows:

Residential Sector: Duquesne Light has developed six programs targeting the residential sector: 1) Appliance Recycling; 2) On-Line Marketplace; 3) Midstream; 4) Residential Behavioral Energy Efficiency Program (“R-BEEP”); 5) Residential Low-Income Behavioral Energy Efficiency Program (“LI-BEEP”); and 6) the Residential Low Income Energy Efficiency Program (“LIEEP”). A summary of these programs is provided in DLC St. 1 at 14-17. A full description is contained in Section 3 of the Phase V Plan.

Small Commercial/Industrial Sector: Duquesne Light has developed one program, the Small-Medium Nonresidential Energy Efficiency Program (“SNEEP”). This program will provide multiple delivery channels: SNEEP Direct Install, SNEEP Downstream, and SNEEP Midstream. A summary of the program and delivery channels is provided in DLC St. 1 at 18-19. A full description is contained in Section 3 of the Phase V Plan.

Large Commercial/Industrial Sector: Duquesne Light has developed three programs targeting the large commercial/industrial sectors: Large Commercial Energy Efficiency Program (CEEP), Public Agency Partnership Program (PAPP), and Large Industrial Energy Efficiency Program (IEEP). A summary of the program and delivery channels is provided in DLC St. 1 at 20-21. A full description is contained in Section 3 of the Phase V Plan.

All of the Company’s programs are voluntary and, subject to the budget limitations for each program, customers can elect to participate in any program for which they are eligible.

Importantly, the Phase V Plan ensures that all customer classes have an opportunity to participate. The *Phase V Implementation Order* further directed that Duquesne Light obtain a minimum of 7.2% of its total required consumption reduction from low-income customers by May 31, 2031.² *Phase V Implementation Order* at 12. Reductions counted towards the 7.2% target may only come from specific low-income programs or low-income verified participants in multifamily housing programs. The Company’s Plan fully complies with this requirement. See, DLC Exhibit 1, Section 3.2.2.

Duquesne Light’s EE&C Phase V Plan as revised under this Settlement will be cost effective as defined by the TRC test. The TRC Test was initially adopted by the Commission at Docket No M-2009-2108601 on June 23, 2009. The most recent modification to the TRC test was by the Commission’s Order entered on November 7, 2024 in Docket No. M-2024-3048998. Duquesne Light’s EE&C Phase V Plan had an overall B/C score is 2.04. The cost effectiveness of each program measure is discussed in DLC Exhibit 1, Section 8.

² Table 2 in the *Phase V Implementation Order* shows Duquesne Light’s 2026-2031 target savings as 261,583 MWh, and Low-Income Savings Target of 18,933 MWh. $18,933/261,583 = .0724$.

Section 2806.1(g) of Act 129 requires that the total cost of any EE&C Plan cannot exceed two percent (2%) of the EDC's total annual revenues as of December 31, 2006. Duquesne Light's Phase V annualized spending cap is \$19,545,951.58, and the total five-year program spending cap is \$97,739,968. The Company's EE&C Phase V Plan has a budget cap of \$97,729,760, which is consistent with the spending cap established by Act 129, inclusive of EGS revenue. See, DLC Exhibit 1, Section 7.1.

The Commission's *Phase V Implementation Order* directed each EDC to develop a Phase V reconcilable adjustment clause tariff mechanism in accordance with 66 Pa.C.S. § 1307 and include this mechanism in its plan. *Phase V Implementation Order* at 231. Duquesne Light currently implements its EE&C rate design using a fixed customer charge to recover the administrative costs and a demand charge, using Peak Load Contribution, to recover the incentive costs for Large Commercial and Large Industrial customers. Duquesne filed a revised tariff supplement on February 22, 2010 which became effective April 1, 2010. The fixed customer charge component of the surcharge and the demand charge component of the surcharge are set forth as two separate line-item charges on the customer bill. Duquesne Light used this same surcharge structure in Phases II, III and IV and will continue this same surcharge structure in Phase V. As explained by Duquesne Light witness David Ogden (DLC Statement No. 2), the Company implemented the combined Small & Medium Commercial and Industrial Phase III EEC Surcharge on June 1, 2020, and its Phase V Plan will continue this same Surcharge structure.

The Phase V EE&C Plan also includes energy consumption and demand reductions established by the Commission to develop its energy efficiency and conservation plan, which are designed to achieve the required reductions, in a cost-effective manner. In addition, the

Company’s Phase V Plan details its strategy to marketing and education its customers about the various programs available as well as details how customer care and quality assurance, program tracking, evaluation, monitoring, and verification will be achieved.

Duquesne Light’s proposed Phase V EE&C Plan is in the public interest and in compliance with the requirements of Act 129 and all of the Commission’s applicable Act 129 Orders. The Phase V EE&C Plan includes a broad range of cost-effective energy efficiency programs that are targeted to all of the Company’s customer segments. As modified through this Settlement, the Phase V EE&C Plan fully complies with all Act 129 requirements while meeting the needs of a diverse set of stakeholders, thus improving the product to the benefit of customers.

III. SETTLEMENT TERMS AND PLAN MODIFICATIONS

The Settlement provides modification to the Company’s filed plan that address issues raised in testimony by the various stakeholders. The parties devoted substantial resources to develop modifications to the filed plan that will address concerns raised, while also ensuring overall compliance with Phase V requirements.

In order to address concerns regarding the Company’s proposed Residential Midstream Program, revisions to the plan were made that will “ramp-up” utilization of the program. As filed, the Residential Midstream program distributed the program savings (MWh) as follows (Table 2):

PY18	PY19	PY20	PY21	PY22	TOTAL
3,745	3,958	4,027	4,099	4,171	20,000
18.7%	19.8%	20.1%	20.5%	20.9%	100%

Under the Settlement, the program will be planned as follows (MWh):

PY18	PY19	PY20	PY21	PY22	TOTAL
2,000	3,800	5,000	5,200	4,000	20,000
10%	19%	25%	26%	20%	100%

Importantly, the Company’s Independent Evaluator will conduct an evaluation of this program during PY19 in accordance with their approved evaluation plan. Settlement at ¶¶ 30-31.

By developing the modified “ramp-up” the Company will be able to further assess the success of the new program as it increases in usage. By moving up the evaluation of the program to PY19, the Company will have the opportunity to review and ensure that customers are utilizing and benefiting from this important program.

In concert with the reduction in initial residential Midstream Program years, the Settlement modifies the Company’s Plan to include a comprehensive audit offering through the Residential Online Marketplace program for the 5-year phase with a targeted focus on homes with electric resistance heat that are well positioned to achieve deeper energy savings. Duquesne will shift the necessary budget from the Large Industrial Program to the Residential Online Marketplace Program’s budget which will facilitate comprehensive market-rate activity. The Company submits that this Settlement provision will help ensure that “deeper” measures remain a focus of the Phase V Plan.

In keeping with efforts to develop deeper savings, the Settlement addresses non-residential lighting savings that were forecast in the filed Plan. Under the Settlement The

nonresidential forecast in the plan will reduce the contribution of lighting savings from 46.4 to 36.4 percent. Settlement at ¶ 33. The lighting savings being reduced will be reallocated to more comprehensive measures with longer measure lives. This provision addresses concerns raised by OCA and OSBA.

The Settlement further provides modifications to behavioral measures for residential customers. Under the Settlement, DLC will work with the Company's implementation contractor to enhance Home Energy Report (HER) recommendations to emphasize comprehensive energy efficiency measures with longer measure lives. Settlement at ¶ 34. In addition, the Company will work with the CSP to include low-income program and enrollment information in all Residential Behavioral Energy Efficiency Program (R-BEEP) communications. Settlement at ¶ 34. Lastly, the forecast for behavioral saving achieved specifically from low-income customers will be reduced from a forecasted 4,200 MWh (22.18%) to 2,500 MWh, which amounts to 13.2% of the low-income carve-out. Settlement at ¶ 35.

Both OCA and CAUSE-PA comprehensively addressed concerns with behavioral program savings in their testimony. Duquesne witness David Defide responded to those concerns in Rebuttal testimony. See, DLC St. 1-R at 6-8, 23-24. The Settlement provides a reasonable middle ground to the extensive testimony and discovery related to this issue.

In testimony, both CAUSE-PA and KEEA raised issues regarding health and safety measures that could be addressed in the scope of an EE&C proceeding. Duquesne witness David Defide responded to those concerns in Rebuttal testimony, explaining the Company's concerns with expanding health and safety measures into the EE&C framework. See, DLC St. 1-R at 24-25, 28-29.

To address these concerns, the Joint Petitions have agreed that Duquesne Light will add a Health and Safety remediation program to its Plan in the amount of \$600,000. Settlement at ¶ 34. Under the Settlement, this program will only be used for projects that will result in low-income savings. The Company agrees to pursue Health and Safety remediation in coordination with other available programs. This activity will be funded through the existing Low Income Energy Efficiency Program (LIEEP) budget. The Company submits that this is a reasonable resolution of this issue.

Paragraph 37 of the settlement addresses concerns raised by CAUSE-PA with the use of “front-of-the-meter” (“FTM”) measures. The Commission allowed FTM measures to be utilized in Phase V, consistent with its Implementation Order. Specifically, the Commission held:

FTM measures like conservation voltage reduction can be low-cost, high-yield EE&C plan components and can help combat growing resource adequacy concerns in the Commonwealth... Therefore, for Phase V of Act 129, the EDCs do not need to limit their proposed Phase V EE&C plans to customer-sited measures, but the projected contribution of FTM measures to the portfolio MWh and MW savings should be no more than ten percent.

Phase V Implementation Order at 79.

As explained by Duquesne Light witness Defide, FTM projects are based upon site-specific studies, research and application of technologies that render economic and operational benefit. Projects can include distributed energy resources (batteries, solar, other types of generation) and distribution system upgrades that serve to offset peak period loads, reduce system losses and delay system capacity upgrades. The size and type of these measures are site-specific, measure life will exceed 15-years and produce deep savings. DLC St. 1-R at 27.

In the Settlement, Duquesne has agreed to hold a stakeholder meeting regarding front-of-the-meter (FTM) measures if and when such a custom project is identified by the Company.

Settlement at ¶ 37. The Company will consider feedback from parties. In addition, the Settlement provides restrictions on the use of FTM measures within the low-income budget and carve-out.

Settlement at ¶ 37(a).

Finally, the Settlement contains several provisions designed to improve communications with interested stakeholders and potential customers. See, Settlement at ¶¶ 38-40. Each of these provisions address concerns raised by the parties that help ensure that the Plan reaches customers in an effective manner. The Company submits that these provisions are reasonable and will help ensure the future success of Phase V.

IV. THE SETTLEMENT IS IN THE PUBLIC INTEREST

It is the Commission's policy to encourage settlements. 52 Pa. Code § 5.231. Settlements lessen the time and expense the parties must expend litigating a case, and they also conserve administrative resources. The Commission has indicated that settlement results are often preferable to those achieved at the conclusion of a fully litigated proceeding. 52 Pa. Code § 69.401. In order to accept a settlement, the Commission must review proposed settlements to determine whether the terms are in the public interest. See, *Pa. Pub. Util. Comm'n LBPS v. PPL Utilities Corporation*, M-2009-2058182 (Opinion and Order November 23, 2009).

For the reasons stated in the Settlement Petition and this Statement in Support, Duquesne Light respectfully submits that the Joint Petition for Full Settlement is just, reasonable, and in the public interest, and therefore should be approved without modification. Duquesne's Phase V EE&C Plan meets all of the requirements of Act 129 and the Commission's Phase V Implementation Order, and over the course of the five-year program, the Plan will achieve the required energy reduction and demand reduction results with a budget that meets the applicable spending cap. The modifications to the Plan made by this Settlement address legitimate concerns

of the parties to this proceeding and will improve the overall performance of the Plan. For the reasons stated above, and those set forth in the Settlement Petition, the resolution of this proceeding in accordance with the terms of the Settlement in the public interest. As such, Duquesne Light believes that the Settlement should be approved and adopted by the Commission without modification.

Respectfully submitted:



Aron J. Beatty, Esq.
Duquesne Light Company
800 N. Third Street, Suite 203
Harrisburg, PA 17102
Phone: 412-292-6563
Email: abeatty@duqlight.com

Date: February 13, 2026

Attorney for Duquesne Light Company

APPENDIX B

OFFICE OF CONSUMER ADVOCATE

STATEMENT IN SUPPORT OF SETTLEMENT

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of Duquesne Light Company for :
Approval of its Act 129 Phase V Energy : Docket No. M-2025-3057325
Efficiency and Conservation Plan :

STATEMENT OF THE
OFFICE OF CONSUMER ADVOCATE
IN SUPPORT OF FULL SETTLEMENT

The Office of Consumer Advocate (OCA), one of the signatory parties to the Joint Petition for Approval of Full Settlement (Settlement), finds the terms and conditions of the Settlement to be in the public interest for the following reasons:

I. INTRODUCTION

On October 15, 2008, Act 129 of 2008 (Act 129 or the Act) was signed into law by Governor Edward G. Rendell. Act 129 made numerous amendments to Chapter 28 of the Public Utility Code and required the seven major electric distribution companies (EDCs) to file energy efficiency and conservation plans (EE&C Plans), which occurred in the summer of 2009. The Phase I Plans expired on May 31, 2013. Phase II of the EE&C Plans began on June 1, 2013 and expired on May 31, 2016. Phase III of the EE&C Plans began on June 1, 2016 and will continue until May 31, 2021. Phase IV of the EE&C Plans began on June 1, 2021 and will continue until May 31, 2026. The Commission has now established the requirements and process for Phase V of the EE&C Plans to operate from June 1, 2026 through May 31, 2030. *Energy Efficiency and Conservation Program*, Docket No. M-2025-3052826 (June 18, 2025) (*Phase V Implementation*

Order). This proceeding concerns the Phase V Plan filing of Duquesne Light Company (DLC, Duquesne Light, or Company).

The *Phase V Implementation Order* directed that each EDC meet a consumption reduction target and a demand response target. *Phase V Implementation Order* at 55. The low-income targets represent 7.1% of the statewide MWh target and these reductions must be met through the low-income customer sector programs. *Id.* The Total Resource Cost (TRC) test will continue to be used to evaluate each EDC's EE&C Plan. *Phase V Implementation Order* at 216-217.

Act 129 caps annual spending on the Plan at 2% of the EDC's total revenues for the calendar year 2006. 66 Pa. C.S. § 2806.1(g). The Act provides for full and current cost recovery of the Plan costs through an automatic adjustment rider, but it prohibits the recovery of lost revenues by the EDC through the automatic adjustment rider. 66 Pa. C.S. § 2806.1(k). The costs incurred are to be allocated to the classes that directly benefit from the program measures implemented, unless a system wide benefit can be shown.

On December 1, 2025, Duquesne Light Company (Duquesne or DLC or Company) filed its Phase V Energy Efficiency and Conservation Plan (Phase V Plan). On December 2, 2025, the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA) filed an Answer and Petition to Intervene. On December 4, 2025, the OCA filed its Notice of Appearance, and then on December 15, 2025, filed a Notice of Intervention and Public Statement. Also on December 4, 2025, the Office of Small Business Advocate (OSBA) filed a Notice of Appearance and on December 19, 2026, Notice of Intervention. DLC's filing was assigned to the Office of Administrative Law Judge and further assigned to Administrative Law Judge Erin L. Gannon for investigation. On December 29, 2025 and December 30, 2025, ALJ Gannon issued Prehearing Conference Orders. On January 3, 2026, the matter was published in the *Pennsylvania*

Bulletin. On January 6, 2026, Peoples Natural Gas Company LLC (Peoples) filed a Notice of Intervention. Also on January 6, 2026, the Keystone Energy Efficiency Alliance (KEEA) filed a Petition to Intervene and Answer. Also on January 6, 2026, the telephonic Prehearing Conference was held at which time a procedural schedule was established.

On January 20, 2026, the OCA submitted the Direct Testimony of Zack Tyler (OCA Statement No. 1).¹ Also on January 20, 2026, Direct Testimony was filed by CAUSE-PA and KEEA. On January 28, 2026, Rebuttal Testimony was filed by Duquesne and OSBA.

An evidentiary hearing was held on February 4, 2026 wherein the parties stipulated to the admission of written testimony and exhibits and waived cross-examination of all parties' witnesses. The OCA, DLC, OSBA, CAUSE-PA, KEEA, and Peoples engaged in extensive settlement discussions in an attempt to resolve the issues presented in this proceeding. On February 9, 2026, the Company informed the ALJ that the parties reached a Full Settlement. On February 13, 2026, the OCA, DLC, OSBA, CAUSE-PA, KEEA, and Peoples (Settling Parties) filed the Settlement, representing a full, unopposed settlement of the issues litigated among the Settling Parties in the case. The Settlement provides for approval of DLC's Phase V EE&C Plan with certain modifications and clarifications related to issues raised by OCA witness Tyler. For the reasons discussed below, the OCA submits that the Settlement is in the public interest and should be adopted.

II. SUMMARY OF FILING

¹ Mr. Tyler is a Managing Consultant with Energy Futures Group (EFG). At EFG, Mr. Tyler provides expert consulting services related to the design, implementation, and evaluation of programs and policies that promote investments in energy efficiency, renewable energy, distributed energy resources, and strategic electrification. Mr. Tyler brings over 16 years of experience working with energy efficiency and demand response programs and for approximately 14 years, he evaluated energy efficiency and demand response programs across the United States and Canada. OCA St. 1 at 1-2.

DLC's Phase V Plan, as filed, includes three broad customer sectors: the Residential sector, the Small Commercial/Industrial (C&I) sector, and the Large C&I sector. OCA St. 1 at 3. Collectively, these programs are designed to achieve approximately 274,633 MWh of cumulative energy savings and 48.2 MW of peak demand reduction over the five-year Phase V period. *Id.* The Phase V Plan also includes a low-income energy savings target of 21,232 MWh. *Id.*

The total projected cost of the Phase V Plan is \$97,729,759, which represents the maximum spending level permitted under the Phase V Implementation Order. *Id.* The Residential sector of the Phase V Plan includes the following programs: Appliance Recycling, Marketplace, Midstream Incentives, Residential Behavioral Energy Efficiency, Low Income Energy Efficiency, and Low-Income Behavioral Efficiency. *Id.* The Small C&I sector consists of only one program, the Small-Medium Nonresidential Energy Efficiency program. *Id.* Lastly, the Large C&I sector consists of the Large Commercial Efficiency, Large Industrial Efficiency, and Public Agency Partnership programs. *Id.* The Midstream Incentives program within the Residential sector is new to the DLC portfolio in Phase V, as are unique incentives for low-to-moderate income customers, the other Phase V Plan elements are generally consistent with those delivered in Phase IV. *Id.* at 3-4.

The OCA did find DLC's Phase V Plan, as filed, complies with the requirements of the Phase V Implementation Order. *Id.* The Phase V Plan proposes energy efficiency and peak demand reduction portfolios that meet or exceed the applicable savings targets, satisfies cost-effectiveness requirements, and includes the required low-income programming elements. *Id.* The Plan includes an overall benefit-cost ratio of 2.0 using the Total Resource Cost (TRC) test. *Id.* The Plan projects first-year energy savings of 274,663 MWh, five percent more than the commission-identified goal of 261,583 MWh. Finally, the Plan includes 48.2 MW of peak demand reductions, exceeding the commission-identified goal of 46.5 MW. *Id.*

III. LEGAL STANDARDS

The Commission's policy promotes settlements. 52 Pa. Code §§ 5.231, 69.401. In order to approve a Settlement, the Commission must determine that the proposed terms and conditions are in the public interest. *Pa. PUC v. Philadelphia Electric Company*, 60 Pa. P.U.C. 1, 22 (1985); *Pa. PUC v. City of Bethlehem – Water Dept.*, Docket No. R-2020-3020256 (Order entered April 15, 2021) (*City of Bethlehem*) at 13 (citing *Pa. PUC v. York Water Co.*, Docket No. R-00049165 (Order entered October 4, 2004); *Pa. PUC v. C. S. Water and Sewer Assoc.*, 74 Pa. P.U.C. 767 (1991) (*CS Water and Sewer*)). "It is the Commission's duty to determine the public interest and to protect the rights of the public." *Duquesne Light Co. v. Pa. PUC*, 715 A.2d 540, 546 (Pa. Cmwlth. Ct. 1998) (citations omitted). The Commission recognizes that settlements represent "a compromise of the positions held by the parties of interest, which, arguably fosters and promotes the public interest." *CS Water and Sewer*, 74 Pa. P.U.C. at 771.

Consistent with the Commission's other statutory responsibilities, the Commission must determine the public interest with "due consideration to the interests of consumers." 71 P.S. § 309-5 (2).

Proponents of an order bear the burden of proof. 66 Pa.C.S. § 332(a). Because the Settling Parties request that the Commission enter an order adopting the settlement without modification, they share the burden of proof to show that the terms and conditions of the settlement are in the public interest. 66 Pa.C.S. § 332(a); *City of Bethlehem* at 13. It is well-established that the "degree of proof before administrative tribunals as well as before most civil proceedings is satisfied by establishing a preponderance of the evidence." *Lansberry v. Pa. PUC*, 578 A.2d 600, 602 (Pa. Cmwlth. Ct. 1990) (*Lansberry*). For a Commission decision to be supported by substantial evidence, it must be supported by such relevant evidence as a reasonable mind might accept as adequate to support a conclusion. *Dutchland Tours, Inc. v. Pa. PUC*, 337 A.2d 922, 925 (Pa.

Cmwlth. 1975) (*Dutchland*). The evidence must be substantial and legally credible, not mere “suspicion” or a “scintilla” of evidence. *Lansberry*, 578 A.2d at 602.

IV. SETTLEMENT IS IN THE PUBLIC INTEREST

The Commission encourages settlement, and to do so it must recognize the balance of compromises struck by settling parties. While the OCA does not address all issues contained within the Settlement in this Statement in Support, the OCA does not oppose terms and conditions not expressly addressed herein. The OCA submits that the Settlement, taken as a whole, is a reasonable compromise in consideration of likely litigation outcomes before the Commission. The OCA submits that the Settlement is in the public interest and supports Commission approval of the Settlement without modification. The OCA points to the substantial evidence in the record as support for the provisions addressed by the OCA below and relies on the other parties to the Settlement to address those provisions that are significant and material to them in their respective statements in support.

A. Residential Midstream Program Ramp-Up (Settlement at ¶¶ 30, 31)

DLC’s Residential Midstream Incentives Program is a new component of its Phase V Plan portfolio that provides incentives midstream to distributors or trade allies to encourage the adoption of high-efficiency residential equipment. OCA St. 1 at 10. According to the Company’s Phase V Plan, many residential customers face significant barriers to program participation including: product availability, complex rebate application requirements, and lengthy rebate processing lead time. Phase V Plan at 33. The Company expects that this new Program, by providing incentives directly to participating distributors at the point of sale, will address those barriers. *Id.*

OCA witness Zack Tyler testified that innovative programs are important. DLC’s Phase V plan allocated 24 percent of residential energy savings to the proposed Residential Midstream Incentives Program. OCA St. 1 at 11. Mr. Tyler went on to express concern that with no prior implementation history in DLC’s territory, this program represents a significant share of the residential portfolio for a program with limited demonstrated performance, uncertain adoption rates, and untested evaluation and verification outcomes. *Id.* Mr. Tyler’s specific concern is not with the program itself, but that such a large portion of residential savings to a new delivery channel increases portfolio risk, particularly in a phase that begins with no carryover savings from DLC’s Phase IV Plan. *Id.*

The Settling Parties agreed to resolve the issue as follows:

30. Residential Midstream Program Ramp-Up: Residential midstream program forecast will be adjusted over the years of Phase V. The current plan distributes the program savings (MWh) as follows (Table 2):

PY18	PY19	PY20	PY21	PY22	TOTAL
3,745	3,958	4,027	4,099	4,171	20,000
18.7%	19.8%	20.1%	20.5%	20.9%	100%

Under the Settlement, the program will be planned as follows (MWh):

PY18	PY19	PY20	PY21	PY22	TOTAL
2,000	3,800	5,000	5,200	4,000	20,000
10%	19%	25%	26%	20%	100%

31. The Company’s Independent Evaluator will conduct an evaluation of this program during PY19 in accordance with their approved evaluation plan.

(Settlement at ¶¶ 30, 31)

This program, as amended by the Settlement, will help achieve the Commission’s goal of reducing consumption and by scaling back the residential midstream program to approximately 10 percent of residential energy savings at the outset of Phase V will allow participation to ramp up over time as program performance, adoption, and evaluation results are demonstrated. OCA St. 1

at 13. Using this approach will allow DLC to pursue innovation while managing portfolio risk (similar to a pilot program) and address uncertainties related to equity, verification, and market response among its residential customers. *Id.* This Settlement provision allows DLC to continue to pursue this innovative program, which Company witness David Defide testified is a core element of the Company's Phase V portfolio. DLC St. 1-R at 4. Approaching the program's design using a ramp up plan will allow DLC more opportunity to manage risk, improve residential customer participation, and work toward cost-effective savings at scale. DLC St. 1-R at 4.

A phased ramp-up will enable DLC to better engage residential customers, pursue innovation in a controlled manner, and address key uncertainties related to equity, savings verification, and market response. Importantly, the modified approach allows DLC to gather data and customer feedback during the initial program year and apply those lessons throughout the remainder of the Phase V Plan, increasing the likelihood of achieving cost-effective savings at scale. Therefore, the OCA recommends that the Commission approve this program modification because it will allow DLC to gather data and feedback from the initial project year and apply that information through the duration of the Phase V Plan.

B. Residential Market Rate Comprehensive Program (Settlement at ¶32)

OCA witness Tyler reviewed DLC's Phase V Plan and identified that it does not include a comprehensive audit program that provides direct install opportunities, such as air sealing or building insulation measures, for market-rate residential customers. OCA St. 1 at 8. This is a departure from Phase IV, where similar offerings were available to market-rate customers. *Id.* Mr. Tyler testified that in DLC's Phase V Plan market-rate customers no longer have access to a coordinated pathway for identifying and addressing cost-effective building envelope improvements. *Id.* Mr. Tyler explained that the absence of this type of program represents a missed

opportunity to capture deeper, more durable energy savings that can extend over longer periods of time and result in permanent physical changes to equipment and/or buildings. *Id.*

DLC witness Defide testified in rebuttal that a comprehensive audit program for market-rate customers is not warranted in Phase V because approximately seven percent of Duquesne Light residential customers use electricity as their primary space-heating fuel, which significantly limits the achievable electric savings from building shell and envelope measures in the market-rate sector. Duquesne St. 1-R at 2. Mr. Defide went on to testify that within DLC's service territory, a comprehensive audit and direct install program would not be expected to deliver electric savings at scale comparable to other delivery approaches. Duquesne St. 1-R at 2.

The Settling Parties agreed to the following Provision:

32. Residential Market Rate Comprehensive: the Plan will be modified to include a comprehensive audit offering through the Residential Online Marketplace program for the 5-year phase with a targeted focus on homes with electric resistance heat that are well positioned to achieve deeper energy savings. This will increase forecasted program delivery costs. Duquesne will shift the necessary budget from the Large Industrial Program to the Residential Online Marketplace Program's budget which will facilitate comprehensive market-rate activity.

(Settlement at ¶ 32)

Including a comprehensive audit and direct install program accessible to market-rate residential customers will maintain a channel of opportunity for more energy savings and benefit DLC customers. OCA witness Tyler testified that customers can benefit from the in-person discussions with contractors that often take place as part of comprehensive audit programs, which are an opportunity for contractors to educate homeowners about the opportunities in their home and this can serve as a useful conversion mechanism for more robust measures with deeper energy savings. OCA St. 1 at 9. While the addition of a comprehensive audit offering increases forecasted program delivery costs, it is expected to produce greater lifetime savings and improved portfolio

performance. Thus, inclusion of this provision to the Settlement is and was integral in achieving Settlement for the OCA.

The OCA also respectfully asserts that the agreed-upon reallocation of budget from the Large Industrial Program to the Residential Online Marketplace Program maintains overall budget neutrality while aligning resources with a scalable residential opportunity. This provision supports the goals of Act 129 and benefits DLC customers and therefore is in the public interest and should be approved.

The OCA respectfully submits that these provisions are essential to achieving the objectives of the EE&C Plan by improving access to financial assistance for customers most in need and enabling their meaningful participation in energy efficiency programs. This provision reflects a reasonable and significant compromise reached through collaboration among the parties and are necessary to support effective EE&C program implementation. Accordingly, the OCA recommends that the Commission approve the same.

C. Nonresidential Lighting (Settlement at ¶33)

OCA witness Tyler examined DLC's non-residential lighting program elements, which represents a substantial portion of the savings proposed in DLC's Phase V Plan. OCA St. 1 at 21. Mr. Tyler testified that based on the Phase V Plan's savings projections, non-residential lighting accounts for approximately 41 percent commercial and industrial sector energy savings and approximately 28 percent of total portfolio savings. *Id.* Duquesne witness Defide testified that according to the Commission's Phase V Energy Efficiency Potential Study, lighting accounts for a majority of cost-effective, achievable energy efficiency potential in the Commercial and Industrial sector. Duquesne St. 1-R at 11. Mr. Defide went on to testify that interior and exterior lighting combined represent approximately 59 percent of Small- and Medium-C&I potential ,

approximately 63 percent of Large-C&I potential , and more than 55 percent of total C&I energy efficiency potential in Duquesne Light's service territory. *Id.*

Mr. Tyler testified that DLC's plan as filed raised concerns because lighting markets are increasingly mature and approaching saturation. OCA St. 1 at 22. In his direct testimony, Mr. Tyler said baseline and market potential analyses indicate high levels of LED adoption in commercial buildings, which increases the risk that future lighting incentives may support LED-to-LED replacements rather than truly incremental upgrades. *Id.* He said this means that as saturation increases, the incremental savings associated with lighting measures tend to decline, while evaluation risk and uncertainty increase. *Id.*

The Settling Parties agreed to the following:

33. The nonresidential forecast in the plan will reduce the contribution of lighting savings from 46.4 to 36.4 percent. This will increase forecasted program delivery costs. The lighting savings being reduced will be reallocated to more comprehensive measures with longer measure lives. Duquesne will shift the necessary budget from the Large Industrial Program to the Small-Medium C&I and Large Commercial Programs.

(Settlement at ¶33)

This provision advances the Commission's Act 129 goals while expanding opportunity for future savings. OCA witness Tyler testified that an adjustment like this would recognize the continued cost-effectiveness and near-term value of lighting measures while beginning to reduce reliance on a mature measure category with diminishing long-term potential. OCA St. 1 at 23. Mr. Tyler explained that focusing on a mature non-residential market such as lighting may simplify short-term compliance, but it prevents investment in emerging measures that require extended runways to become accepted in the marketplace. *Id.* He said investments are necessary now to help establish traction in the market that can be relied upon in future program phases. *Id.* New market

traction means connecting Act 129 programs with new customers in DLC's service territory, and therefore is in the public interest and should be approved.

The OCA respectfully submits that this Settlement provision is essential to ensuring a balanced and forward-looking EE&C portfolio. The agreed-upon modification to the nonresidential forecast appropriately reduces reliance on short-lived lighting savings and reallocates savings toward more comprehensive measures with longer measure lives. While this shift increases forecasted program delivery costs, it is expected to improve the durability and long-term value of nonresidential energy savings. The corresponding reallocation of budget from the Large Industrial Program to the Small-Medium C&I and Large Commercial Programs reflects a reasonable and collaborative compromise that aligns resources with programs better suited to deliver sustained, cost-effective savings. Accordingly, the OCA recommends that the Commission approve the same.

D. Residential Behavioral Measures (Settlement at ¶34)

DLC's Phase V Plan Home Energy Report (HER) programs represents the largest single contributor to residential savings at 36 percent of the residential portfolio, a slight reduction compared to the Phase IV Plan where 40 percent of residential savings were from its market rate HER program. OCA St. 1 at 13-14. In DLC's Phase V Plan filing, HER programs are provided to two customer sectors: residential market rate and residential low-income. Phase V Plan at 20. The Company views behavior programs as gateways to other programs and create savings in a cost-effective manner. *Id.* Company witness Defide testified that HER savings are measured using randomized control trials, which he said is widely recognized as the gold standard for evaluating behavioral energy efficiency programs. Duquesne St. 1-R at 7.

OCA witness Tyler testified that while DLC's HER programs have historically resulted in cost-effective residential energy savings, he expressed concern about the durability of savings and the magnitude of customer benefits. OCA St. 1 at 14. Mr. Tyler explained that HER savings require ongoing program expenditures to sustain and do not provide the same long-term certainty as equipment-based or building envelope measures. *Id.* He provided one example: HER savings do not persist across homeowners or tenants when occupancy changes within a housing unit. *Id.* Mr. Tyler recommended DLC reduce the residential savings planning from 36 percent down to 10 percent. *Id.* at 16. Additionally for the low-income customer base, Mr. Tyler recommended the HER program be limited to customers that qualifies for the Company's Low Income Reduction Program (LIURP), which applies to income qualified customers with annual usage exceeding 6,000 kWh. *Id.* at 17-18.

The Settling Parties agreed to the following:

34. Residential Behavioral Measures: DLC will work with the Company's implementation contractor to enhance Home Energy Report (HER) recommendations to emphasize comprehensive energy efficiency measures with longer measure lives. In addition, the Company will work with the CSP to include low-income program and enrollment information in all Residential Behavior Energy Efficiency Program (R-BEEP communications).

(Settlement at ¶34)

This Settlement provision acknowledges OCA witness Tyler's concern about energy savings being too short lived by promoting longer term energy savings opportunities, which could be achieved by air sealing or installing heat pump technologies. OCA St. 1 at 16-17. By including low-income program and enrollment information DLC can continue using its HER programming as a gateway to other eligible energy savings programs for customers. DLC's HER programming has a wide customer reach which, in aggregate, can help guide customers to make behavioral changes and/or residential structural changes.

The OCA appreciates the Company's commitment to work with its implementation contractor to enhance HER recommendations by emphasizing comprehensive energy efficiency measures with longer measure lives will provide meaningful long-term benefits to consumers. By prioritizing deeper, whole-home improvements that deliver sustained energy savings, customers are more likely to experience lower utility bills over time, improved home comfort, and greater overall value from efficiency investments. Focusing on measures with longer useful lives also ensures that program benefits persist for many years, maximizing cost-effectiveness and supporting long-term system and environmental benefits for all customers. As such, the OCA submits that as a part of an all party resolution of all issues in this proceeding, this provision of the Settlement represents a reasonable compromise between the parties and is in the public interest. The enhancements in Settlement ¶ 34 strengthens the HER program outcomes and should be approved.

E. Front-of-the-Meter Stakeholder Meetings (Settlement at ¶ 37)

Pursuant to its Phase V Plan, the Company does not include a specific proposal for front-of-the-meter (FTM) measure that would lead to reportable savings. CAUSE-PA St. 1 at 44. CAUSE-PA witness Jim Grevatt testified that rather than include specific FTM proposals, DLC makes provision for FTM measures within its listing of eligible measures. *Id.* Duquesne witness Defide testified that in the Company's Phase V Plan, DLC identifies measure parameters from FTM measures as currently forecasted. Duquesne St. 1 at 27. Mr. Defide testified that FTM projects are based upon site-specific studies, research and application of technologies that render economic and operational benefit and can include distributed energy resources and distribution system upgrades that serve to offset peak period loads, reduce system losses and delay system capacity upgrades. *Id.*

Even though the Company identified parameters for FTM projects in its Phase V Plan, CAUSE-PA witness Grevatt testified that it falls far short of the Commission's requirement to describe any FTM measures included in the EE&C plan. CAUSE-PA St. 1 at 44. OCA did not submit testimony on this issue, but supports the concern raised by CAUSE-PA as it relates broadly to Mr. Tyler's concern about aspects of the Phase V Plan coming from untested sources. OCA St. 1 at 5. Mr. Grevatt recommended that the Commission reject DLC's FTM aspects of its Phase V Plan and direct Duquesne to file a petition to amend its plan in the future and identify which measures it wishes to add to its portfolio.

The Settling Parties agreed to resolve the issue according to the following provision:

37. Duquesne Light will agree to hold a stakeholder meeting regarding front-of-the-meter (FTM) measures if/when such a custom project is identified. The Company will consider feedback and suggestions from the parties.

- a. If the Company implements the FTM program, no FTM costs shall be paid from the low income program budget, and no FTM savings shall be assigned or allocated to the low-income customer savings carve-out requirement.
- b. The parties' agreement to this provision does not constitute agreement as to the prudence or cost-effectiveness of any proposed FTM program, and the parties expressly reserve the right to challenge the FTM program in an appropriate filing or in subsequent phases.

(Settlement ¶37)

This Settlement provision helps strike a balance between allowing for the benefit of FTM savings while addressing the concerns about the level of specificity regarding how those savings will be achieved. CAUSE-PA St. 1 at 44, Duquesne St. 1 at 27. While the parties in this proceeding do not have the opportunity to provide feedback on any specific FTM proposals, this provision

provides for future collaboration to help ensure future FTM projects can benefit DLC customers and meet the reduction goals of Phase V and therefore should be approved.

The OCA respectfully submits that these Settlement provisions are beneficial to consumers because they promote transparency, stakeholder engagement, and appropriate consumer protections in the consideration of any potential FTM measures. Requiring DLC to convene a stakeholder meeting if and when an FTM project is identified ensures that interested parties have an opportunity to provide input and raise concerns before such measures are pursued. In addition, the parties' express reservation of rights preserves Commission oversight and allows for future review of the prudence and cost-effectiveness of any proposed FTM program. The OCA respectfully asserts that this reservation was essential to reaching Settlement herein. And, taken together, these FTM provisions ensure that consumers are protected while allowing for informed consideration of new measures. Accordingly, the OCA recommends that the Commission approve the same.

F. Interconnection Process and Act 129 Participation (Settlement at ¶38)

OCA witness Tyler's review of DLC's Phase V Plan identified potential missing opportunities to proactively promote Act 129 programs with the interconnection process. OCA St. 1 at 26. Duquesne witness Defide testified that Act 129 program participation is not a condition or factor for interconnection approval and that DLC does not link or condition one process with the other. Duquesne St. 1-R at 17. Mr. Defide said that DLC's interconnection process is governed by established Commission-approved standards and procedures that operate outside the scope of Act 129, and because participation in Act 129 programs is voluntary and intentionally independent of interconnection approval and therefore further coordination is not necessary. *Id.* He said while conceptually the interconnection process is separate from Act 129, the Company's Conservation

Service Providers (CSP) routinely work with DLC’s interconnection group on referrals and applications. *Id.*

OCA witness Tyler acknowledged that DLC’s interconnection approval process appropriately remains separate from participation in Act 129 programs. OCA St. 1 at 26. However, he testified that customers seeking interconnection—particularly for larger or energy-intensive projects—are often making significant design, equipment, and investment decisions that directly affect long-term energy use and peak demand. *Id.* He said linking interconnection and Act 129 could help reduce load, manage peak demand, or improve overall system efficiency because during the interconnection review process, DLC evaluates system capacity and identifies potential infrastructure needs and process presents an opportunity to voluntarily inform and connect customers with Act 129 program resources. *Id.*

The Settling Parties agreed to the following:

38. Duquesne Light’s Interconnection Department and the Company’s Phase V CSPs will develop a coordination process to streamline the interconnection process and Act 129 participation within 9 months of the PUC Plan approval and will share it with the parties.

(Settlement at ¶ 38)

This Settlement provision refines DLC’s by establishing clearer pathways for coordination between interconnection staff, Act 129 program staff, and economic development entities that could help ensure that customers are aware of available efficiency and demand-side options early in the project development process. OCA St. 1 at 26. This provision is in the public interest because incorporating voluntary Act 129 engagement at this stage would help reduce missed opportunities for cost-effective efficiency, support more efficient homes and businesses, and better align customer investments with system needs, without conditioning or delaying interconnection approval. *Id.* As such, the OCA submits that as a part of an all party resolution of all issues in this

proceeding, this provision of the Settlement represents a reasonable compromise between the parties and is in the public interest.

G. Other Program Enhancements (Settlement at ¶¶ 35, 36, 39, 40)

The OCA by its participation in Settlement negotiations and through agreement with the Settling Parties believe the following adjustments to DLC's as-filed Phase V Plan will produce outcomes that benefit consumers and align with the Commission's Act 129 directives. Additionally, the Settlement includes these additional consumer protections and enhancements that might not otherwise be achieved by and through litigation of this case.

Low Income Behavioral forecast will be reduced from a forecasted 4,200 MWh (22.18%) to 2,500 MWh or 13.2% of the carve-out. (Settlement at ¶35). DLC will agree to add a Health and Safety remediation program to its Plan in the amount of \$600,000. (Settlement at ¶36). This program will only be used for projects that will result in low-income savings. *Id.* DLC agrees to pursue Health and Safety remediation in coordination with other available programs. *Id.* This activity will be funded through the existing LIEEP budget. *Id.*

DLC will host three multifamily collaborative meetings during the first three years of its Phase V plan. (Settlement at ¶39). These collaboratives will only pertain to Act 129 programming and will be held as a standalone meeting, separate from its Income Eligible Advisory Group (IEAG).

This will include:

- a. The objective of these multifamily collaborative meetings will be to identify ways to improve participation, enhance coordination with housing programs, and improve the delivery of comprehensive efficiency services to affordable multifamily housing.
- b. DLC will work with interested parties to this proceeding to identify interested stakeholders, including but not limited to housing authorities, providers, developers, and associations; local and state agency staff; and community-based organizations.
- c. Specific topics to be addressed, based on the approved Phase V Plan, may include: (1) data sharing, (2) incentive levels, (3) marketing and outreach, (4)

- coordination and braiding with other state and local programs, (5) streamlined application, (5) categorical eligibility, and (6) other topics of concern identified by meeting participants.
- d. At each meeting, DLC will provide an update on measure-level spending and production levels for multifamily projects, as well as the following data:
 - the number of and reasons for multifamily LIEEP jobs that do not move forward,
 - the total number of multifamily LIEEP baseload and heating jobs, separately tracked based on meter type; and
 - the average multifamily job cost and energy savings.
 - e. In year five of DLC's Phase V plan, DLC will convene an additional collaborative focused on gathering input on potential Phase VI multifamily programming.

Id.

Finally, DLC will continue to report on low income Act 129 program data at least annually during its quarterly IEAG meetings, and will discuss ways to improve coordination with community-based organizations, weatherization, energy efficiency, and housing repair programs in DLC's service territory. (**Settlement at ¶40**). Consistent with the Phase IV Settlement agreement, DLC will continue to track and report on the following information and data at these IEAG meetings:

- a. the number of and reasons for LIEEP jobs that do not move forward, separately tracked for low income single-family, master-metered multifamily, and individually metered multifamily properties;
- b. the total number of LIEEP baseload and heating jobs, separated by the following segments: (1) low income single family tenants; (2) low income single family homeowners; (3) low income master-metered multifamily units; (4) low income individually metered multifamily tenant units; and
- c. the average LIEEP job costs and energy savings.

Id.

V. CONCLUSION

The OCA submits that the terms and conditions of the proposed Settlement of the DLC Electric's proceeding represent a fair and reasonable resolution of the issues and claims arising in this matter. If approved, the proposed Settlement will benefit the Commission and all Parties by foregoing the additional costs of litigation and will provide consumers with a reasonable EE&C Plan. For the foregoing reasons, the Office of Consumer Advocate submits that the proposed Settlement is in the public interest and in the interest of DLC Electric's customers and therefore, should be approved.

Respectively Submitted,

/s/ Katie Kennedy

Katie Kennedy, Esq.
Assistant Consumer Advocate
PA Attorney I.D. # 317237
E-Mail: KKennedy@paoca.org

Counsel for:
Darryl A. Lawrence
Consumer Advocate

Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101-1923
Phone: 717-783-5048
Fax: 717-783-7152

Dated: February 13, 2026

Janna E. Williams, Esq.
Assistant Consumer Advocate
PA Attorney I.D. # 319584
E-Mail: JWilliams@paoca.org

Ryan Morden, Esq.
Assistant Consumer Advocate
PA Attorney I.D. # 335679
E-Mail: RMorden@paoca.org
E-Mail: OCAPhaseVDLC25@paoca.org

APPENDIX C

OFFICE OF SMALL BUSINESS ADVOCATE

STATEMENT IN SUPPORT OF SETTLEMENT

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Duquesne Light Company for : Docket No. M-2025-3057325
Approval of its Energy Efficiency and :
Conservation Phase V Plan :

**STATEMENT IN SUPPORT OF THE
JOINT PETITION FOR FULL SETTLEMENT
ON BEHALF OF THE OFFICE OF SMALL BUSINESS ADVOCATE**

I. Introduction

The Small Business Advocate is authorized and directed to represent the interests of the small business consumers of utility services in the Commonwealth of Pennsylvania under the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50.

Pursuant to that statutory authority, the Office of Small Business Advocate (“OSBA”) filed a notice of intervention in response to the Duquesne Light Company Phase V Energy Efficiency and Conservation (“EE&C”) Plan with the Pennsylvania Public Utility Commission (“Commission”) on December 1, 2025.

The OSBA actively participated in the negotiations that led to the proposed settlement and is a signatory to the Joint Petition for Full Settlement (“*Joint Petition*”). The *Joint Petition* addresses the issues raised by this office in this proceeding. Therefore, the OSBA submits this statement in support of the *Joint Petition*.

II. Standards for Approval of Non-Unanimous Settlement

Section 5.231(a) of the Commission’s regulations, 52 Pa. Code § 5.231(a) (Formal Proceedings; Hearings; Settlement and Stipulations; Offers of Settlement) states, as follows:

It is the policy of the Commission to encourage settlements.

Similarly, Section 69.401 of the Commission’s regulations, 52 Pa. Code § 69.104 (Settlement Guidelines and Procedures for Major Rate Cases – Statement of Policy; General) states, as follows:

In the Commission’s judgment, the results achieved from a negotiated settlement or stipulation, or both, in which the interested parties have had an opportunity to participate are often preferable to those achieved at the conclusion of a fully litigated proceeding.

III. Settlement Terms

As set forth in the *Joint Petition*, the OSBA negotiated several important concessions that will protect the interests of Duquesne’s small businesses.

First, *Joint Petition* addresses the fact that Duquesne’s small business EE&C Plan has had heavy and prolonged reliance on lighting measures to reach the Company’s goals. Specifically, the *Joint Petition* reduces the share of non-residential savings attributable to lighting from 46.4 percent to 36.4 percent and reallocates those savings to more comprehensive, non-lighting measures with longer measure lives.¹ This rebalancing acknowledges increasing lighting saturation and shifts program emphasis toward deeper efficiency opportunities that can deliver more durable and meaningful energy reductions for the Company’s small business customers.

Second, the *Joint Petition* reallocates a portion of program funding from the Large Industrial Program to the small business and Large Commercial programs to support these deeper measures.² While this adjustment results in a modest increase in the small commercial surcharge, the OSBA concludes that the expanded access to deeper, longer-lasting efficiency

¹ *Joint Petition*, Paragraph 33.

² *Joint Petition*, Paragraph 33.

measures provides sufficient value to justify the trade-off. Duquesne's small business customers gain improved opportunities to achieve sustained bill reductions that would not be available under a lighting-dominant program structure.

Third, the remaining settlement provisions set forth in the *Joint Petition* largely affect residential programs, particularly low-income residential offerings, and those changes are funded entirely within the residential program budgets. None of the residential or low-income modifications shift costs to small businesses or otherwise burden small business ratepayers.

Fourth, the settlement set forth in the *Joint Petition* preserves compliance with Act 129 statutory spending limits and maintains required benefit-cost ratios at the portfolio level. The negotiated changes improve program balance and risk management without increasing overall program spending or undermining cost-effectiveness.

IV. Conclusion

Therefore, for the reasons set forth in the *Joint Petition*, as well as the issue set forth in this statement, the OSBA supports the proposed *Joint Petition* and respectfully requests that the ALJ and the Commission approve the *Joint Petition* in its entirety.

Respectfully submitted,

/s/ Steven C. Gray

Steven C. Gray
Senior Attorney
Assistant Small Business Advocate
Attorney I.D. No. 77538

Commonwealth of Pennsylvania
Office of Small Business Advocate
Forum Place
555 Walnut Street, 1st Floor
Harrisburg, PA 17101

Dated: February 13, 2026

APPENDIX D

**COALITION FOR AFFORDABLE UTILITY SERVICES AND ENERGY
EFFICIENCY IN PENNSYLVANIA**

STATEMENT IN SUPPORT OF SETTLEMENT

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of Duquesne Light Company :
For Approval of its Phase V : Docket No. M-2025-3057325
Energy Efficiency and Conservation Plan :

**STATEMENT OF THE COALITION FOR AFFORDABLE UTILITY SERVICES AND
ENERGY EFFICIENCY IN PENNSYLVANIA IN SUPPORT OF THE JOINT
PETITION FOR FULL SETTLEMENT**

The Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (“CAUSE-PA”), a signatory party to the Joint Petition for Full Settlement (“Joint Petition” or “Settlement”), respectfully requests that the terms and conditions of the Joint Petition be approved by the Honorable Administrative Law Judge Erin Gannon (“ALJ”) and the Pennsylvania Public Utility Commission (“Commission”) without modification. For the reasons stated more fully below, CAUSE-PA believes that the terms and conditions of the Settlement are in the public interest, are consistent with the Commission’s Phase V Final Implementation Order,¹ and should be approved without delay.

I. INTRODUCTION

On December 1, 2025, Duquesne Light Company (“Duquesne” or “DLC” or “Company”) filed its Petition for Approval of its Phase V Energy Efficiency and Conservation (“EE&C”) Plan at the above-captioned docket. CAUSE-PA intervened in this proceeding to ensure that Duquesne’s Phase V EE&C Plan is appropriately designed to provide meaningful access to energy efficiency measures that deliver appreciable electricity and bill savings for low income customers

¹ Act 129 Energy Efficiency and Conservation Program, M-2025-3052826, Final Implementation Order (June 18, 2025) (hereinafter “Ph. V Implementation Order”).

and other vulnerable consumer groups, consistent with the Commission's Phase V Final Implementation Order. The proposed Settlement, which was arrived at through good faith negotiation by all parties, is in the public interest in that it addresses issues of concern to CAUSE-PA, balances the interests of the parties, and fairly addresses a number of issues raised in the proceeding. If approved, the Settlement will avoid substantial litigation and associated costs and will eliminate the possibility of further Commission litigation and appeals, along with their attendant costs. As such, CAUSE-PA asserts that the Joint Petition for Full Settlement strikes an appropriate balance and should be approved without modification.

II. BACKGROUND

CAUSE-PA adopts the background as set forth in Paragraphs 1 through 28 of the Joint Petition. By way of further background, CAUSE-PA submitted the expert testimony of Mr. Jim Grevatt in this proceeding, analyzing the details of Duquesne's proposed Phase V low income programming and its alignment with the Commission's Phase V Implementation Order and other important policy goals and objectives. (CAUSE-PA St. 1).

Through testimony, Mr. Grevatt explained that Duquesne serves a substantial number of low income customers who are unable to afford utility service and are in dire need of energy efficiency programs that deliver deep electricity savings to help control their usage and, in turn, reduce their monthly electric bills. (Id. at 14-24). Duquesne estimates that 116,695, or 21.2%, of its residential customers had income at or below 150% of the federal poverty level (FPL) in 2024. (Id. at 15).² Duquesne's low income households have disproportionate energy burdens and termination rates, as well as a far higher rate of payment trouble than residential customers overall.

² At this level of income, a household of four has a gross annual income of less than \$48,225. (CAUSE-PA St. 1 at 14).

(Id. at 18-19). Notably, Duquesne’s low income customers were terminated at a rate of 17.2% in 2024. (Id.). As Mr. Grevatt explained, low income households are more likely to live in energy inefficient homes, further compounding energy unaffordability and underscoring the dire need for comprehensive energy efficiency and conservation services for low income households to provide meaningful bill savings. (Id. at 22-23).

Mr. Grevatt explained that the Company proposed in its Plan that low income savings will be delivered through two programs: the Low Income Energy Efficiency Program (“LIEEP”) and the Low Income Behavioral Energy Efficiency Program (“LI-BEEP”). (Id. at 24-25). Mr. Grevatt further explained that LIEEP is a broad program which includes a variety of direct-install measures, while LI-BEEP is designed to rely on home energy reports to educate customers to take action to reduce their energy usage. (Id. at 24-27). Mr. Grevatt identified that Duquesne projected home energy reports to be the single largest contributor toward achieving the Company’s low income savings target, with the proposed Plan projecting to accomplish nearly 20% of its total low income savings through the reports, which provide customers with only shallow, rapidly eroding electricity savings. (Id. at 26-27). Mr. Grevatt noted that the Company’s stated goal for the LI-BEEP to “deliver energy savings of more than 1% of average participant’s electric usage” would give customers a very small amount of bill savings, especially for highly energy-burdened households. (Id. at 25, quoting Duquesne Proposed Phase V EE&C Plan at 44). He pointed to DLC’s forecast that low-income customers receiving Home Energy Reports would save only 61 kWh per year and explained that “those savings decay rapidly.” (CAUSE-PA St. 1 at 26-27). He further noted that LI-BEEP was not materially distinguished from the general Residential Behavioral Energy Efficiency Program (R-BEEP) in a way that would qualify its savings to count toward Duquesne’s low income savings target. (Id. at 25-26)

Mr. Grevatt identified several issues regarding Duquesne's proposed Plan. In reviewing Duquesne's proposed Phase V low income programming, Mr. Grevatt concluded that Duquesne's Plan insufficiently prioritized deep savings measures like heat pumps, heat pump water heaters, and building shell measures. (Id. at 27-31). Further, Mr. Grevatt concluded that the Plan relied too heavily on shallow savings from behavioral programming that do not deliver meaningful bill savings critical for low income households. (Id. at 26-27).

In addition to concerns about Duquesne's overreliance on shallow, short-term measures, Mr. Grevatt also raised concerns about the Plan's lack of transparency regarding anticipated cost shares for multifamily housing providers participating in the program's low-income multifamily offerings. (Id. at 33-35). As Mr. Grevatt explained, clear cost share expectations are necessary to make program participation viable and attractive for multifamily housing providers. (Id.).

Mr. Grevatt also explained that Duquesne's proposed approach to remediating health and safety barriers for low-income customers lacked sufficient tracking and reporting to ensure that customers were not deferred from program participation. (Id. at 35-36).

Further, Mr. Grevatt explained that the Plan lacked concrete detail regarding coordination with external energy efficiency, weatherization, and home repair agencies that, as the Commission acknowledged in its Final Implementation Order, could "potentially allow the EDCs to accomplish more with the same funding." (Id. at 37-38, citing Ph. V Implementation Order at 158). Finally, Mr. Grevatt explained that Duquesne included front-of-the-meter (FTM) measures in its list of eligible measures, but failed to describe any specific FTM proposal, contrary to the Commission's directive to describe any such measures included in the plan. (Id. at 44).

To address the issues identified with Duquesne's proposed Phase V programming for low income consumers, Mr. Grevatt set out several recommendations for how Duquesne could

improve its program design and delivery of services to this uniquely vulnerable population. (See Id. at 46-48).

III. CAUSE-PA SUPPORT FOR THE SETTLEMENT

The following terms of the Joint Petition address issues of concern raised by CAUSE-PA, as explained in Mr. Grevatt's testimony, and reflect a balanced compromise of the varied interests of the parties in this proceeding. While many of the provisions of the Settlement are discussed with specificity below, CAUSE-PA's silence with respect to any particular provision does not indicate that CAUSE-PA is not in agreement with the provision. CAUSE-PA supports the Settlement and urges the Commission to approve the Settlement without modification.

1. Reduced Reliance on Behavioral Programming to Achieve Savings Targets

The Settlement provides that the Company will decrease forecast savings from LI-BEEP from 4,200 MWh to 2,500 MWh, taking behavioral programming from over 20% of the low-income carveout to 13.2%. (Joint Petition at ¶ 35). Additionally, the Settlement provides that the Company will include information about its low-income programming in Home Energy Reports delivered through the Company's general residential programming to promote the programs to customers who may be eligible but who the Company has not yet confirmed to have low income. (Joint Petition at ¶ 34).

CAUSE-PA asserts that these provisions represent a reasonable compromise that appropriately balances the interests of the parties and interested stakeholders. As noted above, Mr. Grevatt explained in testimony that the Company's Plan as proposed placed too great an emphasis on behavioral programming, which does not produce appreciable bill savings for low income participants. (CAUSE-PA St. 1 at 26-27). Mr. Grevatt also explained that many of Duquesne's customers have low income but have not been confirmed as low-income customers, and that the

Company would miss eligible customers without promoting its low-income offerings through general residential programming. (Id. at 26). The Settlement fairly addresses these concerns by measurably reducing the proportion of the Company’s low-income saving target that it projects to achieve through behavioral programming and by committing the Company to promoting its low-income offerings through general residential home energy reports. Reduced reliance on shallow behavioral savings will allow the Company to focus its low-income program on delivering deep savings measures that give customers appreciable bill savings.

2. Addition of Health and Safety Remediation Program

The Settlement provides that the Company will implement a health and safety remediation program funded at \$600,000 over the course of Phase V. (Joint Petition at ¶ 36). The Settlement further provides that the Company will pursue health and safety remediation in coordination with other programs. (Id.). Further, the Settlement commits the Company to discussing program coordination, including with housing repair programs, at its Income Eligible Advisory Group (IEAG) meetings. (Joint Petition at ¶ 40).

As Mr. Grevatt explained in testimony, addressing health and safety issues enables energy efficiency programs to fulfill their function of tackling barriers to “natural adoption” of energy efficiency. (CAUSE-PA St. 1 at 36). Mr. Grevatt further explained his concern that the Company was not adequately tracking and reporting its health and safety spending to ensure follow through. (Id.).

The Settlement fairly addresses Mr. Grevatt’s concerns by committing the Company to improving its ability to address health and safety issues with a dedicated budget, and further by committing the Company to ongoing discussion of coordination, including with housing repair and weatherization programs to help leverage available resources. Taken together, the establishment

of an internal health and safety program, coupled with a defined process to improve coordination with external housing repair providers, represents a meaningful step toward ensuring the Company's low-income programming can effectively remediate health and safety barriers for low-income customers.

3. Enhanced Transparency and Coordination of Multifamily Offerings

The Settlement provides that the Company will host collaborative meetings for the dedicated purpose of working toward expanding and improving the participation of multifamily housing in the Company's low-income Phase V programming. (Joint Petition at ¶ 39). The Settlement provides that the Company will work with interested parties to this proceeding to identify stakeholders, such as housing providers, to participate in the collaboratives. (Id.). The meetings will address topics such as (1) data sharing, (2) incentive levels, (3) marketing and outreach, (4) coordination and braiding with other state and local programs, (5) streamlined application, (5) categorical eligibility, and (6) other topics of concern identified by meeting participants. (Id.). DLC will also provide updates on measure-level spending and production levels for multifamily projects, as well as data about multifamily LIEEP jobs that do not move forward, multifamily LIEEP baseload versus heating jobs, and the average multifamily job cost and energy savings. (Id.). DLC will also convene an additional collaborative focused on gathering input on potential Phase VI multifamily programming. (Id.).

CAUSE-PA asserts that these provisions represent a reasonable compromise that appropriately balances the interests of the parties and interested stakeholders. As Mr. Grevatt explained in testimony, the Company's proposed Plan lacked detail regarding cost shares for multifamily housing provider participants and lacked sufficient detail regarding program coordination with external energy efficiency, weatherization, and home repair providers. (CAUSE-

PA St. 1 at 33-35; 37-38). These shortcomings create added challenges for low income housing providers to participate in Act 129 programming. (Id. at 34-35).

The collaborative meetings provided by the Settlement will help to identify solutions to address these concerns and represent movement toward more transparency in the Company's multifamily offerings and toward enhanced collaboration with external program implementers.

4. Improved Process and Transparency Regarding Front-of-the-Meter (FTM) Proposals

The Settlement provides that if the Company identifies an FTM project, it will hold a stakeholder meeting with the parties to this proceeding and will consider parties' feedback and suggestions before spending limited Act 129 dollars to support the project. (Joint Petition at ¶ 37). The Settlement makes explicit that the Company will not deem savings from any FTM project toward its low-income savings target, nor will any funds from the low-income program budget be used to support any FTM project. (Id.). The Settlement also explicitly provides that the parties' agreement to these provisions does not constitute agreement as to the prudence or cost-effectiveness of any proposed FTM program, and reserves the parties' respective right to challenge any FTM program in an appropriate filing or in subsequent phases. (Id.).

In its Final Implementation Order, the Commission explained that FTM measures "generally do not involve ratepayer participation or even awareness." (Ph. V Implementation Order at 77). In its Tentative Implementation Order, the Commission noted its view that FTM measures are "part of operating the distribution system rather than an EE&C Plan component." (Tentative Phase V Implementation Order at 30). Although the Commission ultimately allowed EDCs to include FTM measures in EE&C plans through the Final Implementation Order, it required that EDCs limit any FTM measures to no more than 10% of portfolio savings targets, and

through its Final Phase V Plan Template, required EDCs to describe any FTM measure to be included in EDCs' plans. (Ph. V Implementation Order at 77; Final Phase V Plan Template at 3.1.6).

As Mr. Grevatt explained in testimony, savings methodologies for FTM measures are not widely uniform and accepted across the industry. (CAUSE-PA St. 1 at 45). Mr. Grevatt highlighted that the Maryland Public Service Commission adopted the recommendation of a 2024 Conservation Voltage Reduction (CVR) Working Group to exclude CVR impacts from the Commission's goal setting process due to the use of out-of-date CVR savings methodologies. (Id. at 45). Further, Mr. Grevatt explained that Duquesne's proposed Plan reserved the right to use FTM programs to satisfy as much as 10% of its compliance targets without clearly describing any particular FTM project proposal, which risked displacing program measures that provide direct benefits to customers. (Id. at 44-46).

The Settlement addresses these concerns by committing the Company to hold a stakeholder meeting with the parties to this proceeding should any FTM program be proposed, while expressing reserving the parties' right to challenge any future FTM program proposal. Thus, CAUSE-PA views these terms as just and reasonable and asserts that the Commission should approve them.

5. Commitment to Discussing Enhanced Program Coordination

The Settlement provides that the Company will continue to track and report Act 129 program data at quarterly IEAG meetings, including particular information about LIEEP jobs, including LIEEP jobs that do not move forward. (Joint Petition at ¶ 40). Further, in addition to targeted discussions about coordination of multifamily projects discussed above, the Settlement commits the Company to discuss ways to improve coordination with community based

organizations and with weatherization, energy efficiency, and home repair organizations operating in the Company's service territory. (Id.). As Mr. Grevatt explained in testimony, the Company's proposed Plan lacked concrete detail regarding coordination with external programs. (CAUSE-PA St. 1 at 37-38). The Settlement addresses this concern by committing the Company to regular discussion with stakeholders about how to improve coordination.

6. Increased Focus on Deep Measures and Reduced Reliance on Lighting

The Settlement provides that DLC will amend its Plan to include a comprehensive audit offering through the Residential Online Marketplace program for the 5-year phase with a targeted focus on homes with electric resistance heat that are well positioned to achieve deeper energy savings. (Joint Petition at ¶ 32). DLC will also amend its Plan so that the nonresidential forecast will reduce the contribution of lighting savings from 46.4 to 36.4 percent, with the reduced lighting savings being reallocated to more comprehensive measures with longer measure lives. (Joint Petition at ¶ 33).

Taken together, these provisions will increase the savings achieved through deeper measures for both the residential and nonresidential classes and will lead to longer lived savings that will benefit all customers in the long term. CAUSE-PA supports these terms and urges the Commission to approve them.

7. Miscellaneous Provisions

The Settlement is made subject to conditions that further the Settlement's alignment with the public interest. (Joint Petition at ¶¶ 45-55). Key conditions to the Settlement include statements that the Settlement is presented without prejudice to any position of the joining parties and does not create precedent (Joint Petition at ¶¶ 45, 48); that every term and condition in the Settlement is material regardless of its placement in the body, footnotes, parentheticals, or otherwise in the

Settlement's text (Joint Petition at ¶ 54); and that the Settlement's term are self-effectuating upon issuance of a final order in this proceeding (Joint Petition at ¶ 55), among others. CAUSE-PA supports the inclusion of these conditions in the Settlement and requests that the Commission approve the Settlement without modification.

IV. CONCLUSION

CAUSE-PA submits that the proposed Joint Petition for Full Settlement, which was achieved by the Joint Petitioners after an investigation of the Company's filing, is just, reasonable, and in the public interest and should be approved. Acceptance of the Settlement avoids the necessity of further administrative and possibly appellate proceedings regarding the settled issues at what would otherwise be a substantial cost to the Joint Petitioners and the Company's customers. Accordingly, CAUSE-PA respectfully requests that ALJ Gannon and the Commission approve the Settlement without modification.

Respectfully submitted,
PENNSYLVANIA UTILITY LAW PROJECT
Counsel for CAUSE-PA



Levi A. Phillips, Esq. PA ID: 338477
John Sweet, Esq., PA ID: 320182
Elizabeth R. Marx, Esq., PA ID: 309014
Ria M. Pereira, Esq., PA ID: 316771
Lauren N. Berman, Esq., PA ID: 310116
118 Locust Street
Harrisburg, PA 17101
717-710-3825
pulp@pautilitylawproject.org

February 13, 2026