

COMMONWEALTH OF PENNSYLVANIA



DARRYL A. LAWRENCE
Consumer Advocate

OFFICE OF CONSUMER ADVOCATE
555 Walnut Street, 5th Floor, Forum Place
Harrisburg, Pennsylvania 17101-1923
(717) 783-5048
(800) 684-6560

 @pa_oca
 /pennoca
FAX (717) 783-7152
consumer@paoca.org
www.oca.pa.gov

May 8, 2026

Via Electronic Filing

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

Re: Pennsylvania Public Utility Commission v.
PECO Energy Company – 1307(f)

Docket No. R-2026-3062148

Dear Secretary Homsher:

Attached for electronic filing, please find the Office of Consumer Advocate's corrected Formal Complaint and Public Statement in this proceeding. The Certificate of Service has been updated to reflect the Notices of Appearance on the record.

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

Respectfully submitted,

/s/ Johnathan M. Longhurst
Johnathan M. Longhurst, Esq.
Assistant Consumer Advocate
PA Attorney I.D. # 338157
Email: JLonghurst@paoca.org

Enclosures

cc: The Honorable Charles E. Rainey, Jr. (email only: crainey@pa.gov)
Office of Special Assistants (email only: ra-OSA@pa.gov)
Paul Diskin, TUS (email only: pdiskin@pa.gov)
Daniel Searfoorce, TUS (email only: dsearfoorc@pa.gov)
Sean Donnelly, TUS (email only: sdonnelly@pa.gov)
Paul Zander, TUS (email only: pzander@pa.gov)
Certificate of Service

CERTIFICATE OF SERVICE

Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket No. R-2026-3062148
	:	
PECO Energy Company – 1307(f)	:	
	:	

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

Dated this 8th day of May, 2026.

SERVICE BY E-MAIL ONLY

Michael A. Podskoch, Esq.
Commonwealth Keystone Building
400 North Street, 2nd Floor West
P.O. Box 3265
Harrisburg, PA 17105-3265
mpodskoch@pa.gov

NazArah Sabree
Office of Small Business Advocate
555 Walnut Street
Forum Place, 1st Floor
Harrisburg, PA 17101
ra-sba@pa.gov

Kruti B. Patel, Esq.
Shane Simon, Esq.
Saul Ewing
1735 Market Street, Suite 3400
Philadelphia, PA 19103
kruti.patel@saul.com
shane.simon@saul.com

Kim Hafner, Director
Pennsylvania Public Utility Commission
Office of Special Assistants
Commonwealth Keystone Building
400 North Street, 3rd Floor East
Harrisburg, PA 17105-3265
ra-OSA@pa.gov

Anthony Gay, Esq.
PECO Energy Company
2301 Market Street, S23-1
Philadelphia, PA 19103
Anthony.gay@exeloncorp.com

Charis Mincavage, Esq.
Adeolu A. Bakare, Esq.
McNees Wallace & Nurick
100 Pine Street
Harrisburg, PA 17101
cmincavage@mcneeslaw.com
abakare@mcneeslaw.com

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

Dated: May 8, 2026

/s/ Johnathan M. Longhurst
Johnathan M. Longhurst, Esq.
Assistant Consumer Advocate
PA Attorney I.D. # 338157
Email: JLonghurst@paoca.org

Harrison W. Breitman, Esq.
Senior Assistant Consumer Advocate
PA Attorney I.D. # 320580
Email: HBreitman@paoca.org
OCA1307External@paoca.org

Counsel for:
Darryl A. Lawrence
Consumer Advocate

FORMAL COMPLAINT
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

1. COMPLAINANT

Darryl A. Lawrence, Consumer Advocate

555 Walnut Street, 5th Floor, Forum Place
Harrisburg, PA 17101-1923
Dauphin County

Phone: (717) 783-5048

2. RESPONDENT

PECO Energy Company, Docket No. R-2026-3062148

3. TYPE OF UTILITY

Gas

4. COMPLAINT

- A.** On April 30, 2026, PECO Energy Company (PECO Gas or the Company) submitted its pre-filing information in support of its annual reconciliation of purchased gas cost (PGC) rates, pursuant to Sections 53.64 and 53.65 of the Commission's Rules and Regulations. 52 Pa. Code §§ 53.64-65. On or about June 1, 2026, PECO Gas will submit its definitive annual PGC filing to the Commission pursuant to Section 1307(f) of the Public Utility Code, 66 Pa. C.S. Section 1307(f).
- B.** PECO Gas' most recent quarterly update to its PGC rate became effective on March 1, 2026.
- C.** PECO Gas' pre-filed information does not indicate the anticipated effect of the annual PGC reconciliation on existing rates.
- D.** PECO Gas provides service to residential customers in Bucks, Chester, Delaware and Montgomery Counties.
- E.** The Public Utility Code provides that no rates of a natural gas distribution utility shall be deemed just and reasonable unless the Commission finds that the utility is pursuing a least cost fuel procurement policy, consistent with the utility's obligation to provide safe, adequate and reliable service. 66 Pa. C.S. § 1318. The Commission must find, among other things, that the utility has: (1) fully and vigorously represented ratepayer interests before the Federal Energy Regulatory Commission;

(2) taken all prudent steps to negotiate favorable gas supply contracts and to relieve its obligations under contracts that may be adverse to ratepayer interests; (3) taken all reasonable steps to obtain lower cost gas supplies; and (4) not withheld or caused to be withheld gas supplies that should have been utilized as part of a least cost fuel procurement policy. 66 Pa. C.S. § 1318(a)(1-4).

- F.** The Consumer Advocate is empowered to represent the interests of Pennsylvania consumers before the Pennsylvania Public Utility Commission (the “Commission”) pursuant to Act 1976-161 of the General Assembly, as amended, 71 Pa. Stat. Ann. Sections 309-1, *et seq.*
- G.** After initial review of PECO Gas’ filing information, the Consumer Advocate files this Formal Complaint in order to ensure that the Company’s proposed PGC rate is consistent with a least cost fuel procurement policy and does not result in rates or charges that are excessive, unjust or unreasonable, discriminatory or otherwise contrary to Commission Regulations or policy.

5. RELIEF

The Consumer Advocate respectfully requests that the Commission:

- A.** Hold evidentiary hearings before the Office of Administrative Law Judge, as mandated by Section 1307(f) of the Public Utility Code;
- B.** Deny any rate or tariff changes, which are not the result of a least cost fuel procurement policy as defined by the standards set forth in Section 1318 of the Public Utility Code, 66 Pa. C.S. Section 1318, and as defined by other applicable ratemaking standards;
- C.** Ensure that the Company’s PGC customers are only allocated those costs that should be borne by them;
- D.** Deny any rate or tariff that is unjust, unreasonable, unduly discriminatory or contrary to sound ratemaking principles; and;
- E.** Grant such other relief that the Commission may deem to be necessary, just or proper.

6. VERIFICATION AND SIGNATURE

I, Darryl A. Lawrence, Consumer Advocate hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 (relating to unsworn falsification to authorities).

Darryl A. Lawrence
Signature

May 8, 2026
Date

7. LEGAL REPRESENTATION

Harrison W. Breitman, Senior Assistant Consumer Advocate, PA Bar No. 320580
John Longhurst, Assistant Consumer Advocate, PA Bar No. 338157

555 Walnut Street, 5th Floor, Forum Place
Harrisburg, PA 17101-1923
Dauphin County

Phone: (717) 783-5048
Facsimile: (717) 783-7152

E-mail: HBreitman@paoca.org
JLonghurst@paoca.org

**PUBLIC STATEMENT OF THE OFFICE OF CONSUMER ADVOCATE
PURSUANT TO 71 P.S. SECTION 309-4(e)**

Act 161 of the Pennsylvania General Assembly, 71 P.S. Section 309-2, as enacted July 9, 1976, authorizes the Consumer Advocate to represent the interests of consumers before the Pennsylvania Public Utility Commission (Commission). In accordance with Act 161, and for the following reasons, the Consumer Advocate determined to file a Formal Complaint in the proceedings before the Commission involving the proposed purchased gas cost rate change by PECO Energy Company (PECO Gas or the Company) at Docket No. R-2026-3062148.

On April 30, 2026, pursuant to Sections 53.64 and 53.65 of the Commission's Rules and Regulations, 52 Pa. Code Sections 53.64-65, PECO Gas submitted its pre-filing information in support of its annual reconciliation of purchased gas cost (PGC) rates. The Company is scheduled to make its definitive rate filing with the Commission on or about June 1, 2026, pursuant to Section 1307(f) of the Public Utility Code. 66 Pa. C.S. § 1307(f). The definitive PGC annual filing will include any anticipated increases or decreases in the existing PGC rates.

The OCA has filed this Formal Complaint with the Commission to ensure that each aspect of PECO Gas' 2026 PGC filing is scrutinized and that the proposed PGC rate is consistent with a least cost fuel procurement policy. A thorough analysis and review are appropriate because Section 1318 of the Public Utility Code, mandates that purchased gas costs cannot be determined to be just and reasonable unless such rates result from a least cost fuel procurement policy and further specifies that certain findings must be made before the costs are determined to be lawful. 66 Pa. C.S. § 1318. The OCA, therefore, will seek to ensure that only those purchased gas costs which comply with the requirements of the Public

Utility Code will be paid by PECO Gas' ratepayers. In addition, the OCA will also seek to ensure that the rates approved by the Commission are otherwise just and reasonable and not unduly discriminatory or otherwise excessive.