

Morgan Lewis

Kenneth M. Kulak

Partner
+1.215.963.5384
ken.kulak@morganlewis.com

May 20, 2026

VIA eFILING

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

**Re: Petition of IBEW Local 614 Requesting a Public, On-The-Record Investigation into the Reasonableness, Safety, Adequacy, and Sufficiency of the Service and Facilities of PECO Energy Company
Docket No. P-2026-3062224**

Dear Secretary Homsher:

Enclosed please find, in the above-captioned proceeding, the **Preliminary Objections of PECO Energy Company to the Petition for Commission Investigation of IBEW Local 614 (Preliminary Objections”)**. Copies are being served in accordance with the attached Certificate of Service.

If you have any questions, please contact me directly at 215.963.5384.

Very truly yours,



Kenneth M. Kulak
KMK/nt

Enclosures

- c: Per Certificate of Service (w/encls.)
The Honorable Charles E. Rainey, Jr. – crainey@pa.gov
The Office of Special Assistants – ra-OSA@pa.gov

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PETITION OF IBEW LOCAL 614 :
REQUESTING A PUBLIC, ON-THE- :
RECORD INVESTIGATION INTO THE :
REASONABLENESS, SAFETY, : **DOCKET NO. P-2026-3062224**
ADEQUACY, AND SUFFICIENCY OF :
THE SERVICE AND FACILITIES OF :
PECO ENERGY COMPANY :

CERTIFICATE OF SERVICE

I hereby certify that I have this date served true and correct copies of the **Preliminary Objections of PECO Energy Company to the Petition for Commission Investigation of IBEW Local 614** on the following individuals in the matter specified in accordance with the requirements of 52 Pa. Code § 1.54.

VIA ELECTRONIC MAIL

Joseph D. Richardson
Samuel H. Datlof
IBEW Local 614
1845 Walnut Street, 24th Floor
Philadelphia, PA 19103
jrichardson@wwdlaw.com
sdatlof@wwdlaw.com
Counsel for IBEW Local 614

Scott H. Strauss
Samuel B. Whillans
Spiegel & McDiarmid LLP
1818 N Street, NW
8th Floor
Washington, DC 20036
scott.strauss@spiegelmc.com
samuel.whillans@spiegelmc.com
Counsel for IBEW Local 614

Allison Kaster
Pennsylvania Public Utility Commission
Bureau of Investigation & Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
akaster@pa.gov
Counsel for I&E

Rebecca Lyttle
Office of Small Business Advocate
Forum Place
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
ra-sba@pa.gov
Counsel for OSBA

Harrison W. Breitman
Office of Consumer Advocate
Forum Place
555 Walnut Street, 5th Floor
Harrisburg, PA 17101-1923
HBreitman@paoca.org
Counsel for OCA



Kenneth M. Kulak (Pa. No. 75509)
Mark A. Lazaroff (Pa. No. 315407)

Morgan, Lewis & Bockius LLP
2222 Market Street
Philadelphia, PA 19103
ken.kulak@morganlewis.com
mark.lazaroff@morganlewis.com

Dated: May 20, 2026

DB1/ 169639707.1

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PETITION OF IBEW LOCAL 614 :
REQUESTING A PUBLIC, ON-THE- :
RECORD INVESTIGATION INTO THE :
REASONABLENESS, SAFETY, : **DOCKET NO. P-2026-3062224**
ADEQUACY, AND SUFFICIENCY OF :
THE SERVICE AND FACILITIES OF :
PECO ENERGY COMPANY :

**PRELIMINARY OBJECTIONS
OF PECO ENERGY COMPANY TO THE PETITION FOR COMMISSION
INVESTIGATION OF IBEW LOCAL 614**

Pursuant to 52 Pa. Code § 5.101, PECO Energy Company (“PECO” or “the Company”) submits these Preliminary Objections to the Petition for Commission Investigation of Local IBEW 614 (the “Petition”) on the grounds of (1) insufficient specificity of the Petition; and (2) legal insufficiency.¹ In support of its Preliminary Objections, PECO states as follows:

I. BACKGROUND

1. PECO is an electric distribution company (“EDC”) serving more than 1.7 million electric customers throughout a 2,100 square-mile area in southeastern Pennsylvania. The Company’s electric service territory is comprised of all or portions of Bucks, Chester, Delaware, Montgomery, Philadelphia, and York Counties and includes a total population served of approximately 4.2 million people. To provide this service, PECO operates and maintains approximately 13,000 linear circuit miles of aerial distribution lines and more than 423,000 poles throughout its service territory. In its most recent *Pennsylvania Electric Reliability Report*, the Pennsylvania Public Utility Commission (“the Commission”) found that “overall, PECO’s

¹ In accordance with 52 Pa. Code § 5.101, PECO is not filing an answer to the Petition due to lack of sufficient specificity in the Petition. *See* 52 Pa. Code § 5.101(e) (“If a preliminary objection regarding insufficient specificity in a pleading is filed, an answer is not required until further directed by the presiding officer or the Commission.”).

service to its customers is improving and currently registers as one of the best efforts by an EDC in Pennsylvania.”²

2. In accordance with the Commission’s Electric Service Reliability Standards, PECO submits a Biennial Inspection, Maintenance, Repair and Replacement Plan (“I&M Plan”) every two years.³ PECO’s most recent I&M Plan described PECO’s extensive inspection programs for its distribution system, which must comply with the National Electric Safety Code, Codes and Practices of the Institute of Electrical and Electronics Engineers, Federal Energy Regulatory Commission regulations, and provisions of the American National Standards Institute, Inc., in order to meet Commission requirements.⁴ In its I&M Plan for the period beginning January 1, 2026, which the Commission reviewed and approved,⁵ PECO described both its past inspections and future inspection objectives, including:

- Completion of more than 34,000 pole inspections in 2023, exceeding the Commission-approved goal of its prior I&M Plan, with wood pole inspection goals of 35,800 in 2026 and 35,900 in 2027.⁶
- Completion of more than 970 circuit patrol overhead line inspections in 2023, with similar goals for 2026 and 2027. These circuit patrols along PECO’s 13,000 linear

² Pennsylvania Public Utility Commission, *2024 Pennsylvania Electric Reliability Report* (Aug. 21, 2025), p. 59, available at https://www.puc.pa.gov/media/3565/24_electric-reliability-report_final.pdf.

³ 52 Pa. Code § 57.198.

⁴ See *Biennial Inspection, Maintenance, Repair and Replacement Plan of PECO Energy Company Pursuant to 52 Pa. Code § 57.198(a) for the period of January 1, 2026 – December 31, 2027*, Docket No. M-2009-2094773 (filed Sept. 27, 2024). A copy of PECO’s I&M Plan is included as Attachment A to these Preliminary Objections.

⁵ Letter of Secretary Rosemary Chiavetta to Richard G. Webster, *Biennial Inspection, Maintenance, Repair and Replacement Plan for PECO Energy Company (2026-2027)* at Docket No. M-2009-2094773 (filed Dec. 20, 2024). The Commission’s approval of the I&M Plan is included as Attachment B.

⁶ I&M Plan, pp. 7-8.

circuit miles are designed to identify and repair conditions that may adversely affect reliability, safety, or the environment, and ensure inspection of PECO's 1,939 total primary distribution overhead circuits and equipment (including transformers) a minimum of once every one to two years.⁷

- Completion of the inspection of more than 6,900 above-ground pad-mounted transformers in 2023, with more than 7,370 and 6,590 transformer inspections planned for 2026 and 2027.⁸

3. In addition to performing inspection, repair and maintenance work in accordance with PECO's on-going I&M Plan and Commission regulations, PECO encourages all of its employees to help improve reliability by voluntarily reporting any visible issues they may see on poles on PECO's system. To facilitate reporting, PECO has established a hotline and deployed a mobile phone application ("Udentify"), which permits employees to provide an accurate location of any issue they wish to report. Reports submitted via the hotline and Udentify are forwarded to PECO's engineering teams, which assess the information received and prioritize any issues in accordance with PECO protocols.

4. In the Petition, IBEW Local 614 ("IBEW") alleges that some of its members conducted a "survey" of a selection of PECO poles in portions of PECO's service territory and identified issues of concern to their members that are reflected in photographs included in the Petition. Based on those photographs and concerns, IBEW requests that the Commission institute an "on-the-record, factual investigation" of the safety, reasonableness and adequacy of PECO's service. IBEW also requests that the Commission consider certain specific remedies as

⁷ *Id.*, pp. 9-10.

⁸ *Id.*, pp. 11-12.

part of its investigation, including a “workforce investment plan” that outlines PECO’s hiring plans.

5. As a threshold matter, IBEW’s Petition lacks important context for its filing. Nowhere in the Petition does IBEW explain that its five-year Collective Bargaining Agreement with PECO expired on March 31, 2026, after months of negotiations and that negotiations between IBEW and PECO at the bargaining table are ongoing. Nor does IBEW explain why its members apparently chose to let alleged risks to the public and their fellow members exist for months after their November and December 2025 “survey” instead of bringing those concerns immediately to PECO so that PECO could expeditiously address any actual risks. Further, IBEW entirely fails to note that the Commission previously rejected similar “remedies” of reports on PECO’s workforce which IBEW sought in PECO’s last electric rate case after PECO explained that such actions involve business planning and should remain within the Company’s managerial discretion.⁹

6. As a legal matter, IBEW’s Petition simply warrants dismissal for insufficient specificity. Virtually all of IBEW’s allegations of problems on PECO’s system and speculation about risks involve poles where IBEW fails to provide basic information necessary for PECO to identify the pole at issue and investigate IBEW’s allegations. Instead of providing a pole number – a unique identifier permitting PECO to immediately identify a pole – or even the address of any of the poles shown in photographs included in the Petition, IBEW appears to redact that information or offers only general location descriptions, such as the name of a town in which the pole is located where PECO has hundreds (or thousands) of other poles. IBEW also failed to

⁹ *Pa. P.U.C. v. PECO Energy Company – Electric Division*, R-2024-3046931 (Opinion and Order entered Dec. 12, 2024), pp. 69-72.

identify when such photographs were taken. Notably, as described *infra*, where PECO was able to identify two poles based on additional information IBEW provided in the Petition, PECO had already fixed the risks IBEW alleges in the Petition **months before** IBEW’s “survey” purportedly started.

7. IBEW asserts that it has identifying pole information and addresses and has offered to provide that information to the Commission, but it has not provided that information to PECO nor offered to do so.¹⁰ In short, IBEW’s Petition – replete with redactions and inadequate descriptions – does not provide information specific enough to allow PECO to conduct a meaningful investigation of IBEW’s allegations in order to prepare a defense and must be dismissed for insufficient specificity.

8. The Petition is also legally insufficient as the requested relief – the initiation of an on-the-record investigation into the adequacy, efficiency, safety, and reliability of PECO’s services and electric distribution system – would result in a clear violation of *Lyness v. State Board of Medicine*.¹¹ Under *Lyness*, a due process violation occurs when an agency both initiates an investigation and then acts as the ultimate trier of fact.¹² The Commission has determined that “a decision at the Commissioner level to issue a formal complaint . . . or otherwise initiate a proceeding which is prosecutory in nature may be viewed as ‘a fundamental prosecutory decision’ that would preclude this agency’s members from adjudicating the

¹⁰ Petition, p. 7 n. 3.

¹¹ See *Lyness v State Board of Medicine*, 529 Pa. 535, 605 A.2d 1204 (1992) (“*Lyness*”). See also *Petition of Commc’ns Workers of Am. for A Pub., on-the-Record Comm’n Investigation of the Safety, Adequacy, & Reasonableness of Serv. Provided by Verizon Pennsylvania LLC*, Docket No. P-2015-2509336, Opinion and Order (Apr. 21, 2016) (“*CWA*”) at 15-17; *In Re Section 506 Request of United Tel. Co. of Pennsylvania*, Docket No. M-00940639, Order (Apr. 5, 1995) at 2-3; *Delegation of Prosecutory Auth. to Bureaus with Enf’t Responsibilities*, Docket No. M-00940593, Order (Aug. 31, 1994) (“*Delegation Order*”).

¹² *Id.*

matter.”¹³ And while IBEW states that it “is not seeking a Commission order requiring immediate changes to PECO’s operations or facilities,” the Petition specifically sets forth issues it wants the Commission to investigate and “corrective measures” IBEW believes the Commission should consider imposing.¹⁴ As such, an impermissible due process violation will occur if the Commission initiates an investigation into PECO as IBEW requests.

II. PRELIMINARY OBJECTION NO. 1 (INSUFFICIENT SPECIFICITY)

9. As previously explained, IBEW filed the Petition in which IBEW sets forth allegations that PECO’s system has existing issues of disrepair based on a series of photographs purportedly taken by IBEW members.

10. The Petition includes eighteen photographs in the body of the Petition (the “Petition Photographs”), with an affidavit of IBEW member Lawrence Anastasi (the “Anastasi Affidavit”) containing additional photographs (the “Affidavit Photographs”) (collectively, the “IBEW Photographs”). The Affidavit Photographs are divided into three exhibits: Exhibit A, which purports to include photographs of poles in Marcus Hook, PA; Exhibit B, which purports to include photographs of poles in North Philadelphia; and Exhibit C, which purports to include photographs of poles in Clifton Heights, PA.

11. The Petition does not provide pole numbers for any of the poles shown in the IBEW Photographs. Pole numbers are unique identifiers on all PECO poles.

¹³ *Delegation Order* at 1.

¹⁴ *See* Petition, pp. 1-2 & 24-25.

12. The Petition does not provide addresses where any of the poles in IBEW Photographs are located.

13. None of the IBEW Photographs include a date or time when the photograph was taken.

14. IBEW does not explicitly state whether all, or only some, of the Petition Photographs were created as part of the IBEW “survey.” It appears that certain of the Petition Photographs could not have been part of the survey if the survey was undertaken in November and December 2025, as IBEW states, given the vegetation shown in several of the Petition Photographs. *See, e.g.*, Petition, Photographs Nos. 9, 11 and 13-15.

15. None of the IBEW Photographs include the name of the person who took the photograph. Mr. Anastasi does not state whether he took any of the photographs, but only that unidentified IBEW members took the IBEW Photographs.

16. IBEW also provides no information as to how IBEW selected poles for its “survey.”

17. The exhibits containing the Affidavit Photographs include redactions and the Petition states these are redactions of pole numbers and addresses which “the Local can provide to the Commission upon request on a confidential basis, if needed.” Petition, p. 7, n.3. As noted above, IBEW has not provided the redacted information to PECO nor offered to do so.

18. Text accompanying the Petition Photographs includes general information about where the pole shown in the photograph is purportedly located, but the information does not include pole numbers or address information. Instead, the Petition includes town names, general

references to locations in towns, or unspecified businesses or other buildings purportedly located near the pole in the photograph. For example:

- Photograph No. 2 – “in a residential subdivision near Hatboro, PA”
- Photograph No. 6 – “in Olney, an urban neighborhood in North Philadelphia”
- Photograph Nos. 11 and 12 – “near a residential development” and “located on a residential street in Chester, PA.”

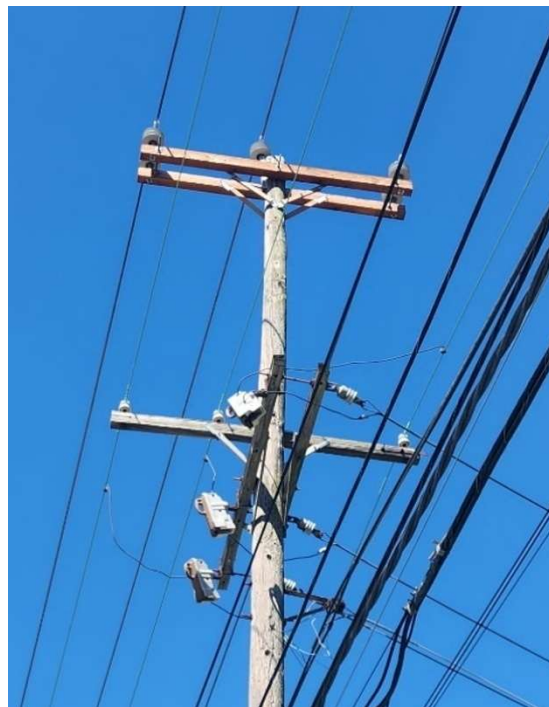
19. As described above, the Affidavit Photographs are grouped by town or city name.

20. The information provided by IBEW does not permit PECO to reasonably identify the poles that IBEW alleges are in disrepair in light of the large number of poles in PECO’s system and the lack of information as to how IBEW conducted its “survey.” For example, PECO has approximately 36,862 poles in Chester, PA, and no reasonable mechanism to determine which pole in an unnamed “residential development” or an unnamed “residential street” is shown in IBEW Photographs Nos. 11 and 12 in order to respond to IBEW’s allegations.

21. Similarly, PECO has a large number of poles in other towns (and in Chester County) referenced in the Petition that make the general descriptions provided by IBEW inadequate for PECO to respond to IBEW’s allegations. The number of PECO-owned poles in each of the towns (and Chester County) which IBEW listed as the locations for poles in the Petition Photographs are approximately as follows: Aston (2,765); Bristol (1,714); Chester (36,862); Chester County (103,919, including Exton and Frazer); Clifton Heights (756), Borough of Darby (796); Darby Township (991); Lower Makefield Township (3,941); Hatboro (1,182); North Philadelphia (83,450, including Olney); Ridley Park (1,076); and West Chester (2,074).

22. With respect to the Affidavit Photographs, IBEW has included photographs of 28 poles from Marcus Hook (where PECO has 502 poles), 50 poles from North Philadelphia (where PECO has 83,450 poles), and 8 poles from Clifton Heights (where PECO has 756 poles).

23. Notably, PECO is unable to determine whether the conditions IBEW asserts exist in the Petition Photographs and Affidavit Photographs have already been addressed by PECO's normal maintenance procedures in accordance with its Commission-approved I&M Plan. Where IBEW did provide sufficient information for PECO to reasonably determine the location of a photographed pole in two of the eighteen Petition Photographs, **PECO had already replaced the cross arms as part of its normal circuit patrol and maintenance procedures.** Below is a picture of the pole in Photograph No. 1 on page 9 of the Petition, which IBEW stated was located "on West Chester Pike near New West Chester Diner," as photographed by PECO on May 12, 2026:



24. PECO's records indicate that the condition of this pole was documented by a PECO circuit patrol team and a work order was created on September 17, 2025. The pole was assigned a "Priority 20," which requires completion within a period of 14 days to 30 days. The work order was completed on September 23, 2025, within six days and well before the start of IBEW's purported "survey" in November and December 2025. The inspection report (submitted to PECO by a PECO contractor) documenting the original request is included as Attachment C to these Preliminary Objections.

25. Similarly, where IBEW stated that the pole in Photograph No. 7 with degraded cross arm support braces "is located in an urban area in Darby, PA, next to a Catholic middle school," PECO was able to locate the pole. As with the pole in Photograph No. 1, **PECO had already identified the degraded cross arm support braces as part of a normal circuit patrol on July 9, 2025, and replaced the cross arm support braces by August 12, 2025.** The inspection report (also submitted to PECO by a PECO contractor) is included in Attachment D to these Preliminary Objections, and the repaired cross arm support braces are shown below as photographed by PECO on May 18, 2026:



26. The Commission’s regulations provide that the content of a petition “must be in writing, state clearly and concisely the interest of the petitioner in the subject matter, the facts and law relied upon, and the relief sought.”¹⁵ The Commission has explained that “the purpose of 52 Pa. Code § 5.101(a)(3), authorizing a party to file preliminary objections on the grounds of

¹⁵ 52 Pa. Code § 5.41.

insufficient specificity, is to ensure that an adverse party's right and ability to answer and defend will not be unduly impaired by a pleader's vagueness"¹⁶

27. Here, IBEW has requested that the Commission initiate an investigation of PECO's service and facilities based on a "survey" of photographs of just 86 of PECO's approximately 423,000 poles which IBEW has failed to properly identify. And, where PECO was able to identify poles in two Petition Photographs, the photographs provided by IBEW were not current and PECO had already addressed issues associated with the two poles as part of its normal inspection and maintenance procedures, well before IBEW initiated its "survey."¹⁷

28. While the Commission is generally more accommodating to legal insufficiencies in *pro se* complaints,¹⁸ no such accommodation is appropriate here where IBEW is represented by experienced counsel and chose not to provide information within its possession to PECO so that PECO could adequately respond to its allegations.

29. The Commission's regulations provide that if a preliminary objection is granted, the party who submitted the stricken pleading has the right to file an amended pleading within 10 days of service of the order.¹⁹ In this case, however, even if IBEW amends its pleading to address the specificity issues set forth in this Section II, the amended pleading will still be legally

¹⁶ *Shasta-Patrice Brown v. Philadelphia Gas Works*, Docket No. C-2024-3050761 (Opinion and Order entered Sept. 11, 2025), pp. 16-17; *see also id.*, n. 17 ("Legal conclusions and general allegations of wrongdoing, without the requisite specific factual averments or support, fail to meet the pleading standard.") (citing *McCulligan v. Pennsylvania State Police*, 123 A.3d 1136, 1141 (Pa. Cmwlth. 2015)).

¹⁷ In addition, PECO notes that IBEW's allegations of issues relating to PECO's mapping systems, staffing levels, and worker safety (Petition, ¶¶ 43-57) are based on the allegations of issues with PECO facilities which the IBEW has failed to allege with specificity.

¹⁸ *See Shasta-Patrice Brown v. Philadelphia Gas Works*, *supra*, p. 20.

¹⁹ 52 Pa. Code § 5.101(h).

insufficient for the reasons set forth in Section III. The Petition should therefore be dismissed in its entirety.

III. PRELIMINARY OBJECTION NO. 2 (LEGAL INSUFFICIENCY)

30. The relief requested by IBEW would violate the clear standards set forth in *Lyness*, which prohibits an agency decision-maker from both initiating a prosecution and subsequently deciding the merits of the case.

31. IBEW, through its Petition, is seeking the initiation of an on-the-record investigation into the adequacy, efficiency, safety, and reliability of PECO's services and electric distribution system.²⁰ If the Commission were to grant the relief requested by IBEW and initiate an on-the-record investigation, it would be in violation of *Lyness* and 66 Pa.C.S. § 308.2(b).

32. The Commission is authorized to initiate investigations upon its own motion and whenever it deems necessary to investigate and examine the condition and management of any public utility.²¹ An investigation may proceed with or without a hearing, but an order may not be issued without affording the affected parties a hearing.²² The Commission's regulations also permit Commission staff to conduct informal investigations.²³ However, if Commission staff determines that "a violation or potential violation of the act has occurred and when formal action is deemed to be warranted," staff must initiate a formal, docketed on-the-record proceeding.²⁴

²⁰ See, e.g., Petition, pp. 1, ¶¶ 25, 61.

²¹ 66 Pa.C.S. § 331(a)

²² *Id.*

²³ 52 Pa. Code § 3.113.

²⁴ *Id.*

33. Neither the Public Utility Code nor the Commission’s regulations expressly permit a private party to formally petition the Commission to institute an investigation that is prosecutory in nature.

34. In *Lyness*, the Pennsylvania Supreme Court held that when an agency both determines that a prosecution should be initiated and then acts as the ultimate trier of fact, the due process of law guaranteed by the Pennsylvania Constitution has been violated, finding that this commingling of prosecutory and adjudicatory functions creates “an appearance of bias” in the agency decisionmakers. The court also stated that whether or not actual bias existed as a result of the agency members acting as both prosecutor and judge in the same matter was deemed to be inconsequential since, under Pennsylvania law, the potential for bias and appearance of non-objectivity is sufficient to create a fatal constitutional defect.²⁵

35. The Commission has accordingly determined that “a decision at the Commissioner level to issue a formal complaint . . . or otherwise initiate a proceeding which is prosecutory in nature may be viewed as “a fundamental prosecutory decision” that would preclude this agency’s members from adjudicating the matter.”²⁶ The Commission has further determined “that the Commission’s authority to initiate proceedings which are prosecutory in nature should be delegated to various bureaus within the Commission.”²⁷ The prohibition against the Commission acting simultaneously as prosecutor and trier of fact is also reflected in 66 Pa.C.S. § 308.2(b), which provides that “[a] commission employee engaged in a prosecutory

²⁵ *Lyness*, 605 A.2d at 1207.

²⁶ *Delegation Order* at 1.

²⁷ *Id.*

function may not, in that matter or a factually related matter, provide advice or assistance to a commission employee performing an advisory function as to that matter.”

36. An on-the-record investigation as to whether PECO’s services and facilities are reasonable, safe, adequate, and sufficient would be prosecutory in nature. Therefore, a Commission determination granting the Petition and initiating an on-the-record investigation in this proceeding would violate *Lyness*. The decision to initiate a prosecutory investigation of such nature should lie with the Commission’s Bureau of Investigation of Enforcement (“I&E”) or other relevant bureau.²⁸ Even the “mere possibility of bias under Pennsylvania law is sufficient to raise the red flag of protection offered by the procedural guaranty of due process.”²⁹

37. The Commission considered a similar set of facts in *CWA*, in which the Communications Workers of America (“CWA”) petitioned the Commission to commence an investigation into the plant and services of Verizon Pennsylvania LLC (“Verizon”).³⁰ Verizon filed a Petition for Interlocutory Review and Answer to a Material Question in which it alleged that the procedural order issued by the ALJ contemplated an investigation in violation of *Lyness*.³¹ I&E, too, agreed that the Commission should clarify the scope of the proceeding.³²

²⁸ *Id.* at 1-2.

²⁹ *Lyness*, 605 A.2d at 1208.

³⁰ *CWA* at 1-2.

³¹ *Id.*, pp. 15-17. Verizon’s Petition for Interlocutory Review was filed approximately 5 months after CWA had filed its petition with the Commission, and approximately 4 months after Verizon had answered the petition (without filing any preliminary objections). *See, id.*, pp. 3, 7, 13.

³² *See* Bureau of Investigation and Enforcement, Brief on the Petition for Interlocutory Review and Answer to Material Question of Verizon Pennsylvania LLC, Docket No. P-2015-2509336 (Apr. 8, 2016), pp. 7-9 (arguing that in order to prevent any procedural defect under *Lyness*, the Commission should treat CWA’s petition as a complaint, dismiss the petition with leave to CWA to file the matter as a formal complaint, or refer the matter to I&E to conduct an investigation).

38. The Commission determined that there was no *Lyness* violation since the Commission had not instituted an investigation pursuant to Section 331(a) of the Public Utility Code (“Code”) and, in addition, the procedural process contemplated by the ALJ’s prehearing order in that proceeding did not comport with a Commission investigation.³³ The Commission also noted that Verizon failed to file timely objections.

39. Unlike in the CWA proceeding, no answer has been filed, PECO has filed timely objections, and the Petition suffers from insufficient specificity with respect to its allegations as set forth above. Because granting IBEW’s Petition will result in a *Lyness* violation, the Petition is also legally insufficient. This legal insufficiency will remain even if IBEW files an amended pleading addressing the specificity issues described herein.³⁴ The Petition should therefore be dismissed.

³³ *CWA*, pp. 24, 26-27.

³⁴ PECO appreciates IBEW’s concern about confidentiality of information relating to PECO’s infrastructure. Should IBEW make a future filing with the information necessary for PECO to respond to IBEW allegations relating to PECO infrastructure (e.g., photographs with pole numbers and dates), IBEW should conform to Commission procedure and practice relating to the filing and service of confidential material.

WHEREFORE, for the foregoing reasons, the Pennsylvania Public Utility Commission should dismiss the Petition of Local IBEW 614 for Commission Investigation at Docket No. P-2026-3062224.

Respectfully submitted,



Anthony E. Gay (Pa. No. 74624)
Jeanne J. Dworetzky (Pa. No. 62389)
PECO Energy Company
2301 Market Street
Philadelphia, PA 19103
Phone: 267.533.1999
anthony.gay@exeloncorp.com
jeanne.dworetzky@exeloncorp.com

Kenneth M. Kulak (Pa. No. 75509)
Mark A. Lazaroff (Pa. No. 315407)
Morgan, Lewis & Bockius LLP
2222 Market Street
Philadelphia, PA 19103-3007
Phone: 215.963.5384
Fax: 215.963.5001
ken.kulak@morganlewis.com
mark.lazaroff@morganlewis.com

Dated: May 20, 2026

Counsel for PECO Energy Company

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**PETITION OF IBEW LOCAL 614 :
REQUESTING A PUBLIC, ON-THE- :
RECORD INVESTIGATION INTO :
THE REASONABLENESS, SAFETY, : DOCKET NO. P-2026-3062224
ADEQUACY, AND SUFFICIENCY OF :
THE SERVICE AND FACILITIES OF :
PECO ENERGY COMPANY :**

VERIFICATION

I, Iris Boci, hereby state that I am Vice President of Technical Services at PECO Energy Company; that I am authorized to and do make this Verification; and that the facts set forth in the Preliminary Objections of PECO Energy Company to the Petition for Investigation of IBEW Local 614 and accompanying exhibits, if any, 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. § 4904, relating to unsworn falsification to authorities.

Iris Boci

Dated: May 20, 2026

Iris Boci

ATTACHMENT A



pecoSM

AN EXELON COMPANY

Richard G. Webster, Jr.
Vice President
Regulatory Policy & Strategy

Telephone 215.841.5777
Fax 215.841.6208
www.peco.com
dick.webster@peco-energy.com

PECO
2301 Market Street
S15
Philadelphia, PA 19103

September 27, 2024

VIA E-Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Re: PUC Docket No. M-2009-2094773
Rulemaking Re: Inspection, Maintenance, Repair, and Replacement Standards for
Electric Distribution Companies, Pursuant to 52 Pa. Code § 57.198(a)

Dear Secretary Chiavetta:

In accordance with the Electric Service Reliability Standards at 52 Pa. Code Chapter 57.198, enclosed is PECO's Biennial Inspection, Maintenance, Repair and Replacement Plan for the period of January 1, 2026 through December 31, 2027.

PECO specifically requests continuation of a waiver from pole loading calculations under 52 Pa. Code §57.198(n)(2)(vi), approved by the Commission in prior years. This exemption does **not** include the additional directive to perform subsequent assessments of pole strength prior to attachment of non-company facilities, required per Secretarial Letter dated December 22, 2014.

PECO also requests a continuation of approved exemption under 52 Pa. Code §57.198(n)(6) permitting PECO to continue visually inspecting above-ground pad-mounted transformers as often as every eight years, rather than as often as every five years per the current regulation.

Thank you for your assistance in this matter and please direct any questions regarding the above to Richard G. Webster, Jr. at (215) 841-5777 or via email: dick.webster@peco-energy.com.

Sincerely,

Rosemary Chiavetta, Secretary
September 27, 2024
Page 2

cc: Office of Consumer Advocate (e-mail only)
Office of Small Business Advocate (e-mail only)
Darren Gill, Bureau of Technical Utility Services (e-mail only)
John Van Zant, Bureau of Technical Utility Services (e-mail only)
Dan Searfoorce, Bureau of Technical Utility Services (e-mail only)

Enclosure



**Biennial Inspection, Maintenance, Repair and Replacement Plan of
PECO Energy Company Pursuant to 52 Pa. Code § 57.198(a)**

For the period of January 1, 2026 – December 31, 2027

**Submitted by:
Nicole Levine
SVP and COO
PECO Energy Company
2301 Market Street, S26-2
Philadelphia, PA 19103
Phone: (215) 841-4469
Nicole.Levine@exeloncorp.com**

Dated: September 27, 2024

Table of Contents

List of Changes from 2024-2025 I&M Plan (by section).....	3
Introduction	4
Plan Consistency	4
Recordkeeping.....	4
Vegetation Management.....	5
Distribution Wood Pole Inspections.....	7
Distribution Overhead Line Inspections.....	9
Distribution Transformer Inspections.....	11
Recloser Inspections.....	13
Substation Inspections	14

List of Changes from 2024-2025 I&M Plan (by section)

***NOTE:** All page numbers referenced below refer to locations within the 2026-2027 Plan herein. Page numbers vary between this Plan and the prior 2024-2025 Plan.*

General

- Updated data tables in all sections to reflect 2026-2027 targets (various).
- Updated inspection plans in all sections to reflect 2023 performance as well as 2024-2025 targets (various).

Distribution Wood Pole Inspections

- Requested continuation of previously approved waiver from PA Code §57.198(n)(2)(vi) requiring all pole inspections to include load calculations (Page 7).

Distribution Transformer Inspections

- Requested continuation of previously approved exemption from PA Code Section 57.198(n)(6) permitting PECO to continue visually inspecting above-ground pad-mounted transformers as often as every 8 years, rather than as often as every 5 years per the current regulation (Page 11).

Introduction

Pursuant to 52 Pa. Code § 57.198, PECO Energy Company (“PECO” or the “Company”) prepared this Biennial Inspection, Maintenance, Repair and Replacement Plan (the “Plan”) for the periodic inspection, maintenance, repair, and replacement of facilities and with a purpose of meeting the Company’s reliability performance benchmarks and standards. The Plan documents the measures that the Company will take to comply with the relevant parts of Section 57.198 between January 1, 2026, and December 31, 2027.

Plan Consistency

***Section 57.198 (b). Plan Consistency.** The plan must be consistent with the National Electrical Safety Code, Codes and Practices of the Institute of Electrical and Electronics Engineers, Federal Energy Regulatory Commission Regulations and the provisions of the American National Standards Institute, Inc.*

All of PECO’s planned inspection, maintenance, repair, and replacement activities are consistent with the National Electrical Safety Code (NESC), Codes and Practices of the Institute of Electrical and Electronics Engineers (IEEE), Federal Energy Regulatory Commission (FERC) regulations, and the provisions of the American National Standards Institute, Inc. (ANSI) as applicable to the work performed.

Recordkeeping

***Section 57.198 (m). Recordkeeping.** An EDC shall maintain records of its inspection and maintenance activities sufficient to demonstrate compliance with its distribution facilities inspection, maintenance, repair, and replacement programs as required by subsection (n). The records shall be made available to the Commission upon request within 30 days. Examples of sufficient records include:*

- (1) Date-stamped records signed by EDC staff who performed the tasks related to inspection.*
- (2) Maintenance, repair, and replacement receipts from independent contractors showing when and what type of inspection, maintenance, repair, or replacement work was done.*

PECO maintains records of its inspection, maintenance, repair, and replacement biennial plan activities in the form of date-stamped paper or electronic records with the name of the PECO staff member or approved contractor who performed the work.

Vegetation Management

Section 57.198(n)(1). Vegetation Management. *The statewide minimum inspection and treatment cycle for vegetation management is between 4-8 years for distribution facilities. An EDC shall submit a condition-based plan for vegetation management for its distribution system facilities explaining its treatment cycle.*

Program Description

The intent of PECO's Vegetation Management program is to ensure the safe and reliable delivery and operation of the electric distribution system. PECO's Vegetation Management program is primarily composed of a Distribution Preventive Maintenance Routine Pruning program. PECO moved from a five-year vegetation management cycle to a nominally four-year cycle, effective January 1, 2024.¹ There may be exceptions as the timing of some Distribution Preventive Maintenance (DPM) work will be optimized to coordinate with planned capital construction work resulting in increased cost effectiveness.

This core program is complemented by the following programs that are intended to further improve reliability:

- Hazard/Strategic Tree Removal Program – Primarily executed in conjunction with the Distribution Preventive Maintenance Routine Program. Intended to remove dead or declining trees along the conductor path and remove non-compatible fast-growing trees that are below or beside the line.
- Worst Performing Vegetation Segments (WPVS) Program – Targets circuit segments which have experienced higher than average vegetation related interruptions. The program focuses on improving system reliability primarily through tree canopy removal/reduction and tree removals.
- Distribution Herbicide Program – Targets select treatment of non-compatible volunteer trees and vines on distribution circuits to control unwanted vegetation and promote more compatible plant communities under the wire zone.

PECO employs a third-party utility line clearance contractor for its vegetation work. The non-herbicide work is executed through a combination of manual control methods including both hand tools and mechanical means such as mowers, equipment mounted saws and other devices. PECO's herbicide program uses selective basal herbicide applications, foliage applications and cut stump applications.

PECO intends to complete inspections and routine trimming on all planned miles as outlined below within the required timeframe.

¹ Annual mileage of Vegetation Distribution Preventive Maintenance work is based on a four-year trim cycle with a 10% reduction of committed miles within a year to account for coordination with capital work and storm risks.

Inspection Plan

1. PECO inspected and treated 2,968 miles of circuits in 2023, exceeding PECO's approved I&M plan for 2,824 miles.
2. PECO is on track to inspect and treat 2,967 miles in 2024 and expects to meet the goal of 2,812 miles in 2025.
3. PECO proposes to inspect and treat 2,706 miles in 2026 and 2,938 miles in 2027.

	Area	Inspections and Treatments Planned	
		2026	2027
		<i>Total Line Miles – 12,718</i>	
PECO <i>Total Miles</i> 12,718	Bucks/Montgomery Co.	1,246	1,387
	Delaware/Chester/York Co.	1,360	1,298
	Philadelphia	100	253
	Total	2,706	2,938

Section 57.198(c). Time frames. The plan must comply with the inspection and maintenance standards in subsection (n). A justification for the inspection and maintenance time frames selected shall be provided, even if the time frame falls within the intervals prescribed in subsection (n). However, an EDC may propose a plan that, for a given standard, uses intervals outside the Commission standard, provided that the deviation can be justified by the EDC's unique circumstances or a cost/benefit analysis to support an alternative approach that will support the level of reliability required by law.

Justification

Vegetation management activities are performed in accordance with the following:

- Generally accepted industry practices.
- Compliant with ANSI Z133.1 and A-300 Standards

Distribution Wood Pole Inspections

Section 57.198(n)(2). Pole Inspections. *Distribution poles shall be inspected at least as often as every 10 – 12 years except for the new southern yellow pine creosoted utility poles which shall be initially inspected within 25 years, then within 12 years annually after the initial inspection.*

Pole inspections must include:

- i. Drill tests at and below ground level.*
- ii. A shell test.*
- iii. Visual inspection for holes or evidence of insect infestation.*
- iv. Visual inspection for evidence of unauthorized backfilling or excavation near the pole.*
- v. Visual inspection for signs of lightning strikes.*
- vi. A load calculation.*

Program Description

PECO visually inspects all distribution wood poles at least as often as every 10 – 12 years. This program is designed to extend the life of the wood pole infrastructure and to identify those poles that require replacement or reinforcement.

A full inspection will be performed on poles older than 12 years and includes:

- i. Drill tests at and below ground level.
- ii. A shell test.
- iii. Visual inspection for holes or evidence of insect infestation.
- iv. Visual inspection for evidence of unauthorized backfilling or excavation near the pole.
- v. Visual inspection for signs of lightning strikes.

Pole Loading Calculations

The Commission previously exempted PECO from conducting pole loading calculations as part of these inspections, originally effective with the approval of PECO's 2012-2013 Biennial I&M Plan. *PECO requests a continuation of this exemption for the 2026-2027 period.*

When approving PECO's 2016-2017 Plan, the Commission required PECO to assess pole strength prior to attaching non-Company facilities to its poles, per Secretarial Letter dated December 22, 2014, Docket No. M-2009-2094773. Such assessments require PECO to perform pole loading calculations.

Inspection Plan

1. PECO completed 34,983 pole inspections in 2023, exceeding PECO's approved I&M plan for 34,000 inspections.
2. PECO is on track to inspect 34,000 poles in 2024 meeting the goal and expects to meet the goal of 34,000 pole inspections in 2025.
3. PECO proposes to inspect 35,800 wood poles in 2026 and 35,900 in 2027.
4. PECO will continue to assess pole strength prior to attachment of non-Company facilities.

	Area	Distribution Wood Pole Inspections	
		2026	2027
		<i>Total poles – 418,090</i>	
PECO <i>418,090 total distribution wood poles</i>	PECO Service Area 418,090 total distribution wood poles	35,800	35,900

Section 57.198(n)(3). Inspection Failure. *If a pole fails, the groundline inspection and shows dangerous conditions that is an immediate risk to public or employee safety or conditions affecting the integrity of the circuit; then the pole shall be replaced within 30 days of the date of inspection.*

Corrective Maintenance

If an inspector has reason to believe that any pole presents an imminent hazard to the public, the inspector immediately reports this condition to the PECO contract administrator and project manager. PECO ensures that such conditions are mitigated within 30 days. All remaining deficiencies are scheduled and prioritized based on criticality.

Section 57.198(c). Time frames. *The plan must comply with the inspection and maintenance standards in subsection (n). A justification for the inspection and maintenance time frames selected shall be provided, even if the time frame falls within the intervals prescribed in subsection (n). However, an EDC may propose a plan that, for a given standard, uses intervals outside the Commission standard, provided that the deviation can be justified by the EDC's unique circumstances or a cost/benefit analysis to support an alternative approach that will support the level of reliability required by law.*

Justification

The program cycle was determined based on industry practice. PECO is in decay severity zone 3 per the U.S. Department of Agriculture's RUS Bulletin 1730B-121, 2013. Such industry data indicates that pole life extension is achieved if a pole requiring treatment is treated every 10 - 12 years. An effective treatment program will extend the life of a typical pole from 45 to 65 years.

Distribution Overhead Line Inspections

Section 57.198(n)(4). Distribution overhead line inspections. *Distribution lines shall be inspected by ground patrol a minimum of once every 1 – 2 years. A visual inspection must include checking for:*

- i. Broken insulators.*
- ii. Conditions that may adversely affect operation of the overhead distribution line.*
- iii. Other conditions that may adversely affect operation of the overhead distribution line.*

Program Description

PECO inspects primary distribution overhead lines and equipment up to fused rear property portions a minimum of once every 1 – 2 years. Fused rear property overhead lines and equipment are inspected on a nominally four-year cycle in conjunction with the Distribution Preventative Maintenance Routine Pruning Program (discussed in the Vegetation Management section above).

The purpose of this program is to identify and repair conditions that may adversely affect reliability, safety and/or environment. To support various analyses, additional data is gathered on an as-needed basis. As referenced in Sections 57.198(n)(6) and 57.198(n)(7), overhead transformers and single-phase reclosers are inspected as a part of this program.

The program consists of visual inspections that identify defective equipment including but not limited to:

- i. Broken insulators.
- ii. Broken cut-outs.
- iii. Broken crossarms.
- iv. Automatic splices.
- v. Other conditions that may adversely affect operation of the overhead distribution line.

Inspection Plan

1. PECO completed 976 circuit patrols in 2023, exceeding PECO’s approved I&M plan for 969 circuits patrolled.
2. PECO is on track to meet the goal of 970 circuits patrolled in 2024 and expects to meet the goal of 969 circuits patrolled in 2025.
3. PECO proposes to circuit patrol 970 circuits in 2026 and 969 circuits in 2027.

	Area	Overhead Line Inspections	
		2026	2027
		1,939 total circuits	
PECO 1,939 total circuits	Bucks/Montgomery Co. 678 total circuits	339	339
	Delaware/Chester/York Co. 599 total circuits	300	299
	Philadelphia 662 total circuits	331	331
	Total	970	969

Section 57.198(n)(5). Inspection Failure. *If critical maintenance problems are found that affect the integrity of the circuits, they shall be repaired or replaced no later than 30 days from discovery.*

Corrective Maintenance

Maintenance problems vary in nature and criticality. Safety hazards and environmental issues are reported immediately to the Operations Center for emergent repair. An emergent repair is defined as Priority 10 or 20 work which shall be repaired or mitigated in a brief amount of time, less than 30 days.

Section 57.198(c). Time frames. *The plan must comply with the inspection and maintenance standards in subsection (N). A justification for the inspection and maintenance time frames selected shall be provided, even if the time frame falls within the intervals prescribed in subsection (N). However, an EDC may propose a plan that, for a given standard, uses intervals outside the Commission standard, provided that the deviation can be justified by the EDC's unique circumstances or a cost/benefit analysis to support an alternative approach that will support the level of reliability required by law.*

Justification

Section 12.121 (A) of the NESC states that “Electric equipment shall be inspected and maintained at such intervals as experience has shown to be necessary.” PECO’s distribution system consists of many aerials and distribution cable facilities, which are exposed to physical, electrical, and environmental stresses. To ensure the safe and reliable operation of the system, it must be periodically maintained and inspected. Effectiveness reviews have shown that the established 1-2 years inspection program has successfully lowered customer outages caused by aerial equipment failures, therefore improving customer reliability.

Distribution Transformer Inspections

Section 57.198(n)(6). Distribution transformer inspections. *Overhead distribution transformers shall be visually inspected as part of the distribution line inspection every 1 – 2 years. Above-ground pad-mounted transformers shall be inspected at least as often as every 5 years and below-ground transformers shall be inspected at least as often as every 8 years. An inspection must include checking for:*

- i. Rust, dents or other evidence of contact.*
- ii. Leaking oil.*
- iii. Installation of fences or shrubbery that could adversely affect access to and operation of the transformer.*
- iv. Unauthorized excavation or changes in grade near the transformer.*

Program Description

PECO visually inspects overhead distribution transformers as part of the overhead line inspections, per Section 57.198(n)(4). These inspections are designed to identify defective equipment and structures that could affect system reliability.

Visual inspections are intended to identify abnormal conditions including:

- i. Rust, dents or other evidence of contact.
- ii. Leaking oil.
- iii. Installation of fences or shrubbery that could adversely affect access to and operation of the transformer.
- iv. Unauthorized excavation or changes in grade near the transformer.

As per the approved exemption noted below, above-ground padmount transformers are visually inspected at least as often as every 8 years. Below-ground transformers are also visually inspected at least as often as every 8 years.

Above-Ground Padmount Transformer Inspection Cycle

The Commission previously granted an exemption allowing PECO to move from a 5-year inspection cycle to an 8-year inspection cycle for above-ground padmount transformer inspections, originally effective with the approval of PECO's 2020-2021 Biennial I&M Plan. *PECO requests a continuation of this exemption for the 2026-2027 period.*

Inspection Plan

1. PECO completed 6,919 above-ground pad-mounted transformer inspections in 2023, exceeding PECO's approved I&M plan for 6,666 inspections.
2. PECO completed 1,336 below-ground transformer inspections in 2023, exceeding PECO's approved I&M plan for 1,234 inspections.
3. PECO is on track to inspect 6,577 above-ground pad-mounted transformers in 2024 and expects to meet the goal of 6,441 in 2025.
4. PECO is on track to inspect 1,173 below-ground transformers in 2024 and expects to meet the goal of 1,184 in 2025.

5. PECO proposes to inspect 6,200 above-ground pad-mount transformers in 2026 and 5,450 in 2027. The planned inspection volumes are based on an 8-year inspection cycle per the above exemption request.
6. PECO proposes to inspect 1,170 below-ground transformers in 2026 and 1,140 in 2027.

	Area	Type	Transformer Inspections Planned		
			68,116 total transformers		
			2026	2027	
PECO 68,116 total transformers	Bucks/Montgomery Co. (31,456 total transformers)	Pad-mounted Trans. (27,559 total transformers)	3,004	2,640	
		Below-ground Trans. (3,897 total transformers)	391	380	
	Delaware/Chester/York Co. (29,884 total transformers)	Pad-mounted Trans. (25,473 total transformers)	2,785	2,448	
		Below-ground Trans. (4,411 total transformers)	446	435	
	Philadelphia (6,776 total transformers)	Pad-mounted Trans. (4,734 total transformers)	411	362	
		Below-ground Trans. (2,042 total transformers)	333	325	
	Total			7,370	6,590

Section 57.198(c). Time frames. The plan must comply with the inspection and maintenance standards in subsection (n). A justification for the inspection and maintenance time frames selected shall be provided, even if the time frame falls within the intervals prescribed in subsection (n). However, an EDC may propose a plan that, for a given standard, uses intervals outside the Commission standard, provided that the deviation can be justified by the EDC's unique circumstances or a cost/benefit analysis to support an alternative approach that will support the level of reliability required by law.

Justification

Section 12.121 (A) of the NESC states that "Electric equipment shall be inspected and maintained at such intervals as experience has shown to be necessary." The practice of performing the established cycles is based on effectiveness reviews and industry practice. Such reviews have confirmed that the transformer inspection program has a positive impact in customer reliability.

Recloser Inspections

Section 57.198(n)(7). Recloser Inspections. *Three-phase reclosers shall be inspected on a cycle of 8 years or less. Single-phase reclosers shall be inspected as part of the EDC's individual distribution line inspection plan.*

Program Description

PECO visually inspects single phase reclosers through the Distribution Overhead Line Inspection Program, per Section 57.198(n)(4).

PECO visually inspects and tests three-phase reclosers on a cycle of eight years or less. Duty cycle readings, settings and circuit print accuracy are also verified.

Inspection Plan

1. PECO inspected 813 three-phase reclosers in 2023, exceeding PECO's approved I&M plan for 460 inspections.
2. PECO is on track to inspect 413 three-phase reclosers in 2024 and expects to meet the goal of 413 in 2025.
3. PECO proposes to inspect 770 three-phase reclosers in 2026 and 850 in 2027.

	Area	Three-Phase Recloser Inspections	
		3,574 total reclosers	
		2026	2027
PECO 3,574 total reclosers	Bucks/Montgomery Co. (1,084 total reclosers)	236	261
	Delaware/Chester/York Co (1,263 total reclosers)	270	298
	Philadelphia (1,227 total reclosers)	264	291
	Total	770	850

Section 57.198(c). Time frames. *The plan must comply with the inspection and maintenance standards in subsection (n). A justification for the inspection and maintenance time frames selected shall be provided, even if the time frame falls within the intervals prescribed in subsection (n). However, an EDC may propose a plan that, for a given standard, uses intervals outside the Commission standard, provided that the deviation can be justified by the EDC's unique circumstances or a cost/benefit analysis to support an alternative approach that will support the level of reliability required by law.*

Justification

Section 12.121 (A) of the NESC states that "Electric equipment shall be inspected and maintained at such intervals as experience has shown to be necessary." The practice of performing the established cycles is based on PECO's experience on recloser performance. Inspecting three-phase reclosers per the established cycles can prevent mis-operations and will save customer interruptions during events, thus improving reliability to the customers.

Substation Inspections

Section 57.198(n)(8). Substation inspections. *Substation equipment, structures and hardware shall be inspected on a cycle of 5 weeks or less.*

Program Description

PECO inspects its substations every 5 weeks with an allowable grace period of 25% of the task interval, which for this periodicity is 8 days. The grace period is provided to allow for scheduling efficiency and emergency response to equipment failures and storms. The purpose of these inspections is to capture and trend readings and perform visual inspections of the substation yard and equipment. These inspections help to ensure that any developing substation problems are identified and addressed in a timely manner to support system reliability and electrical safety. The data from these inspections is captured and trended in an equipment database.

Each inspection is customized to the equipment installed in the substation/switchyard and based on the equipment, includes the following types of readings and inspections:

- Read and record currents, voltages, watts, vars, MVAs, temperatures, pressures, operations counters, run-hours, levels, and specific gravity readings.
- Substation control house inspection (security breaches, general housekeeping).
- Substation yard and perimeter (gate, locks, fence, signage)
- Substation equipment
- Batteries and chargers
- Relays
- Station service power equipment

Inspection Plan

Inspections are divided into two basic categories for tracking purposes since they are completed by different work groups. Substations which represent PECO's transmission and distribution substations are typically larger and contain DC systems. Unit Substations represent smaller distribution substations (from 33 or 13 kV to 2.4, 4 or 13 kV), and do not contain DC systems.

1. PECO completed 1,384 substation inspections in 2023, exceeding PECO's approved I&M plan for 1,370 inspections.
2. PECO completed 3,022 unit substations inspections in 2023, exceeding PECO's approved I&M plan for 2,780 inspections.
3. PECO is on track to complete 1,330 substations inspections in 2024 and expects to complete 1,330 in 2025.
4. PECO is on track to complete 2,830 unit substations inspections in 2024 and expects to complete 2,790 in 2025.
5. PECO proposes to complete 1,330 substation inspections in 2026 and 1,330 in 2027.

6. PECO proposes to complete 2,730 unit substations inspections in 2026 and 2,670 in 2027.

PECO	Area	Substation Inspections Planned	
		2026	2027
	<i>Total Substations</i>	4,060	4,000
Substations (133 total)	Bucks/Montgomery Co (35 substations)	350	350
	Delaware/Chester/York / Hartford Co (MD) (45 substations)	450	450
	Philadelphia (53 substations)	530	530
	Total Substations	1,330	1,330
Unit Substations (273 total in 2026, 267 total in 2027)	Bucks/Montgomery Co (127 unit substations in 2026) (125 unit substations in 2027)	1,270	1,250
	Delaware/Chester/York / Hartford Co (MD) (125 unit substations in 2026) (122 unit substations in 2027)	1,250	1,220
	Philadelphia (21 unit substations in 2026) (20 unit substations in 2027)	210	200
	Total Unit Substations	2,730	2,670

Section 57.198(c) Time Frames. The plan must comply with the inspection and maintenance standards in subsection (n). A Justification for the inspection and maintenance time frames selected shall be provided, even if the time frame falls within the intervals prescribed in subsection (n). However, and EDC may propose a plan that, for a given standard, uses intervals outside the Commission standard, provide that the deviation can be justified by the EDC's unique circumstances or a cost/benefit analysis to support and alternative approach that will support the level of reliability required by law.

Justification

The practice of performing 5-week substation inspections with an allowed grace period of 25% is based on accepted utility practices and the basis for the various inspection tasks are captured and documented on the individual Preventative Maintenance templates associated with each substation component. Historically, a period of 5 to 6 weeks between substation inspections has been utilized and has proven to be effective at identifying and addressing developing substation or equipment issues in a timely manner in support of system reliability and electrical safety. The effectiveness of the inspections is periodically

reviewed at a component level and as part of event investigations. Adjustments are made to the program as warranted to improve system reliability and safety as a result of the reviews. In addition, there are many opportunities for other PECO personnel or approved PECO vendors to view substation facilities in the course of their day-to-day work in and around the substations such as facilities maintenance inspections and switching and blocking being performed for scheduled and emergent work.

ATTACHMENT B



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BUILDING
400 NORTH STREET, HARRISBURG, PA 17120

IN REPLY PLEASE
REFER TO OUR FILE

December 20, 2024

Docket No. M-2009-2094773

RICHARD G. WEBSTER, JR.
VICE PRESIDENT, REGULATORY POLICY & STRATEGY
PECO
2301 MARKET STREET
S15
PHILADELPHIA, PA 19103
dick.webster@peco-energy.com

Re: Biennial Inspection, Maintenance, Repair and Replacement Plan for PECO Energy Company (2026-2027) at Docket No. M-2009-2094773

Dear Mr. Webster:

On September 27, 2024, PECO Energy Company (PECO) filed its Biennial Inspection, Maintenance, Repair and Replacement Plan (Plan), pursuant to 52 Pa. Code § 57.198(a), to be made effective on January 1, 2026. On November 8, 2024, via Secretarial Letter, the Commission issued a data request to PECO seeking more information on visually inspecting above-ground, pad-mounted transformers. On November 22, 2024, PECO filed its response. On November 26, 2024, via Secretarial Letter, the Commission issued a second data request seeking more information on above-ground, pad-mounted distribution transformers. On December 12, 2024, PECO filed its response.

The Commission's regulations require EDCs to file, every two years by October 1, a biennial plan for the periodic inspection, maintenance, repair, and replacement of facilities that is designed to meet reliability performance benchmarks and standards set forth in 52 Pa. Code §§ 57.191-57.197. The Commission's Implementation Order, entered August 13, 2009, identified PECO as one of six (6) EDCs in Compliance Group 2 to initially file their Plan by October 1, 2010, and then every two years thereafter. The Plan must cover the two calendar years beginning 15 months after filing and remain in effect for two calendar years thereafter (January 1, 2026, through December 31, 2027).

PECO has proposed changes to its original plan, which will be discussed herein.

Plan Consistency

52 Pa. Code § 57.198(b) Plan consistency. The plan must be consistent with the National Electrical Safety Code, Codes and Practices of the Institute of Electrical and Electronic Engineers, Federal Energy Regulatory Commission Regulations, and provisions of the American National Standards Institute, Inc.

PECO's Plan generally complies with Section 57.198(b).

Time Frames

52 Pa. Code § 57.198(c) Time frames. The plan must comply with the inspection and maintenance standards in subsection (n). A justification for the inspection and maintenance time frames selected shall be provided, even if the time frame falls within the intervals prescribed in subsection (n). However, an EDC may propose a plan that, for a given standard, uses intervals outside the Commission standard, provided the deviation can be justified by the EDC's unique circumstances or a cost/benefit analysis to support an alternative approach that will still support the level of reliability required by law.

PECO has proposed modifications, discussed *infra*, for the following programs, or parts of programs:

- Pole loading calculations
- Distribution Pad Mounted Transformer Inspection Interval
- Substation Inspection Interval 25% grace period.

Record Keeping

52 Pa. Code § 57.198(m) Recordkeeping. An EDC shall maintain records of its inspection and maintenance activities sufficient to demonstrate compliance with its distribution facilities inspection, maintenance, repair and replacement programs as required by sub52 Pa. Code § (n). The records shall be made available to the Commission upon request within 30 days. Examples of sufficient records include:

- (1) *Date-stamped records signed by EDC staff who performed the tasks related to inspection.*
- (2) *Maintenance, repair and replacement receipts from independent contractors showing when and what type of inspection, maintenance, repair or replacement work was done.*

PECO's Plan generally complies with Section 57.198(m).

Vegetation Management

52 Pa. Code § 57.198(n)(1) Vegetation management. The Statewide minimum inspection and treatment cycle for vegetation management is between 4-8 years for distribution facilities. An EDC shall submit a condition-based plan for vegetation management for its distribution system facilities explaining its treatment cycle.

PECO states that its Vegetation Management program is primarily composed of a Distribution Preventive Maintenance Routine Pruning program. PECO notes that it moved from a five-year vegetation management cycle to a nominally four-year cycle, effective January 1,

2024.¹ PECO notes that there may be exceptions as the timing of some Distribution Preventive Maintenance work will be optimized to coordinate with planned capital construction work resulting in increased cost effectiveness.

PECO's Plan generally complies with Section 57.198(n)(1).

Pole Inspections

52 Pa. Code § 57.198(n)(2) Pole inspections. Distribution poles shall be inspected at least as often as every 10-12 years except for the new southern yellow pine creosoted utility poles which shall be initially inspected within 25 years, then within 12 years annually after the initial inspection. Pole inspections must include:

- (i) Drill tests at and below ground level,*
- (ii) A shell test.*
- (iii) Visual inspection for holes or evidence of insect infestation.*
- (iv) Visual inspection for evidence of unauthorized backfilling or excavation near the pole.*
- (v) Visual inspection for signs of lightning strikes.*
- (vi) A load calculation.*

The Plan states that PECO will visually inspect distribution wood poles on a 10 to 12-year cycle. PECO included a previously approved exemption from performing pole load calculations as part of pole inspections. PECO further clarified that it would continue to assess pole strength prior to attaching non-Company facilities and that such assessments require PECO to perform pole loading calculations.

Therefore, PECO is granted exemption from performing load calculations as part of its pole inspection program. The Plan is consistent with the previously approved Plan and complies with Section 57.198(n)(2).

Pole Inspection Failure

52 Pa. Code § 57.198(n)(3) Pole inspection failure. If a pole fails the groundline inspection and shows dangerous conditions that are an immediate risk to public or employee safety or conditions affecting the integrity of the circuit, the pole shall be replaced within 30 days of the date of inspection.

PECO's Plan generally complies with Section 57.198(n)(3).

Distribution Overhead Line Inspections

¹ PECO explains that the annual mileage of Vegetation Distribution Preventive Maintenance work is based on a four-year trim cycle with a 10% reduction of committed miles within a year to account for coordination with capital work and storm risks.

52 Pa. Code § 57.198(n)(4) *Distribution overhead line inspections. Distribution lines shall be inspected by ground patrol a minimum of once every 1-2 years. A visual inspection must include checking for:*

- (i) *Broken insulators.*
- (ii) *Conditions that may adversely affect operation of the overhead transformer.*
- (iii) *Other conditions that may adversely affect operation of the overhead distribution line.*

PECO inspects primary distribution overhead lines and equipment up to fused rear property portions a minimum of once every one to two years. Fused rear property overhead lines and equipment are inspected on a nominally four-year cycle in conjunction with the Distribution Preventative Maintenance Routine Pruning Program (discussed in the Vegetation Management section above).

PECO's Plan generally complies with Section 57.198(n)(4)

Inspection Failure

52 Pa. Code § 57.198(n)(5) *Inspection failure. If critical maintenance problems are found that affect the integrity of the circuits, they shall be repaired or replaced no later than 30 days from discovery.*

PECO's Plan generally complies with Section 57.198(n)(5).

Distribution Transformer Inspections

52 Pa. Code § 57.198(n)(6) *Distribution transformer inspection. Overhead distribution transformers shall be visually inspected as part of the distribution line inspection every 1-2 years. Above-ground pad-mounted transformers shall be inspected at least as often as every 5 years and below-ground transformers shall be inspected at least as often as every 8 years. An inspection must include checking for:*

- (i) *Rust, dents or other evidence of contact.*
- (ii) *Leaking oil.*
- (iii) *Installation of fences or shrubbery that could adversely affect access to and operation of the transformer.*
- (iv) *Unauthorized excavation or changes in grade near the transformer.*

PECO notes that it visually inspects overhead distribution transformers as part of its overhead line inspections, pursuant to 52 Pa. Code § 57.198(n)(4). PECO notes that these inspections are designed to identify defective equipment and structures that could affect system reliability. PECO has requested continuation of a waiver of the five-year inspection cycle for above-ground pad-mounted transformers. PECO has moved to an eight-year inspection cycle to coincide with the required eight-year cycle for below-ground transformers. PECO is granted this continued exemption.

PECO's Plan generally complies with Section 57.198(n)(6).

Recloser Inspections

52 Pa. Code § 57.198(n)(7) Recloser inspections. Three-phase reclosers shall be inspected on a cycle of 8 years or less. Single-phase reclosers shall be inspected as part of the EDC's individual distribution line inspection plan.

PECO visually inspects single-phase reclosers through the Distribution Overhead Line Inspection Program, pursuant to 52 Pa. Code § 57.198(n)(4). PECO visually inspects and tests three-phase reclosers on a cycle of eight years or less.

PECO's Plan is consistent and generally complies with Section 57.198(n)(7).

Substation Inspections

52 Pa. Code § 57.198(n)(8) Substation inspections. Substation equipment, structures and hardware shall be inspected on a cycle of 5 weeks or less.

PECO's Plan generally complies with Section 57.198(n)(8). However, PECO's Plan includes a 25% grace period for substation inspections performed on a five-week cycle or less. This could increase the maximum five-week inspection cycle by up to eight days. This provision was previously granted and the 25% grace period has not appeared to adversely affect reliability. However, in order to ensure that PECO is consistently meeting the intent of 52 Pa. Code § 57.198(n)(8), and pursuant to the Commission's authority at 66 Pa.C.S. § 504 (relating to reports by public utilities), beginning with the quarterly reliability report² for the first quarter of 2025 PECO is directed to report in its quarterly reliability reports the number of substation inspections in in each quarter that were performed during a grace period.

Conclusion

Upon review of PECO's Biennial Inspection, Maintenance, Repair and Replacement Plan filed on September 27, 2024, it appears that the filing generally complies to the requirements of 52 Pa. Code § 57.198 and is accepted. Furthermore, as discussed supra, the exemptions requested by PECO are approved. These approvals are contingent upon the possibility that subsequent audits, reviews, and inquiries, in any Commission proceeding, may be conducted pursuant to 52 Pa. Code § 57.197(a). Finally, as described above, PECO shall report in its quarterly reliability reports the number of substation inspections in the quarter that were performed during a grace period.

This plan must remain in effect for two calendar years, beginning January 1, 2026. PECO may, however, request Commission approval of subsequent revisions to its approved Plan, in accordance with 52 Pa. Code § 57.198(l). Revisions must be submitted to the Commission as an addendum to PECO quarterly reliability report filed pursuant to § 57.195, including prospective and past revisions to its Plan and a justification for the revisions.

² Required pursuant to 52 Pa. Code § 57.195(d).

If you are dissatisfied with the resolution of this matter, you may, as set forth in 52 Pa. Code § 5.44, file a petition with the Commission within twenty (20) days after the date of this letter. Please direct any questions regarding this filing to John Van Zant, Reliability and Emergency Preparedness Supervisor, Bureau of Technical Utility Services at (717) 773-7380, or jvanvant@pa.gov.

Sincerely,

A handwritten signature in cursive script, reading "Rosemary Chiavetta". The signature is written in black ink and is positioned above the printed name and title.

Rosemary Chiavetta
Secretary

cc: Kriss Brown, LAW
John Van Zant, TUS
Dan Searforce, TUS
Brent Killian, BIE

ATTACHMENT C



Resource Asset Management Solutions

PECO CP 2025 P20 Notification Report

Circuit/Feeder/Plat: Goshen_351_Mall

Prepared By: [REDACTED]

Date/Time Submitted: September 15, 2025

To:
PECO

District Control Center

Quad: 47D8C8
Equipment ID: N/A
Circuit ID: 3172
County: Chester
District: DEL
Township: West Goshen
Pole Sub: 259
Dispatcher's Name: N/A
Dispatch Instructions: N/A

Findings Reported:

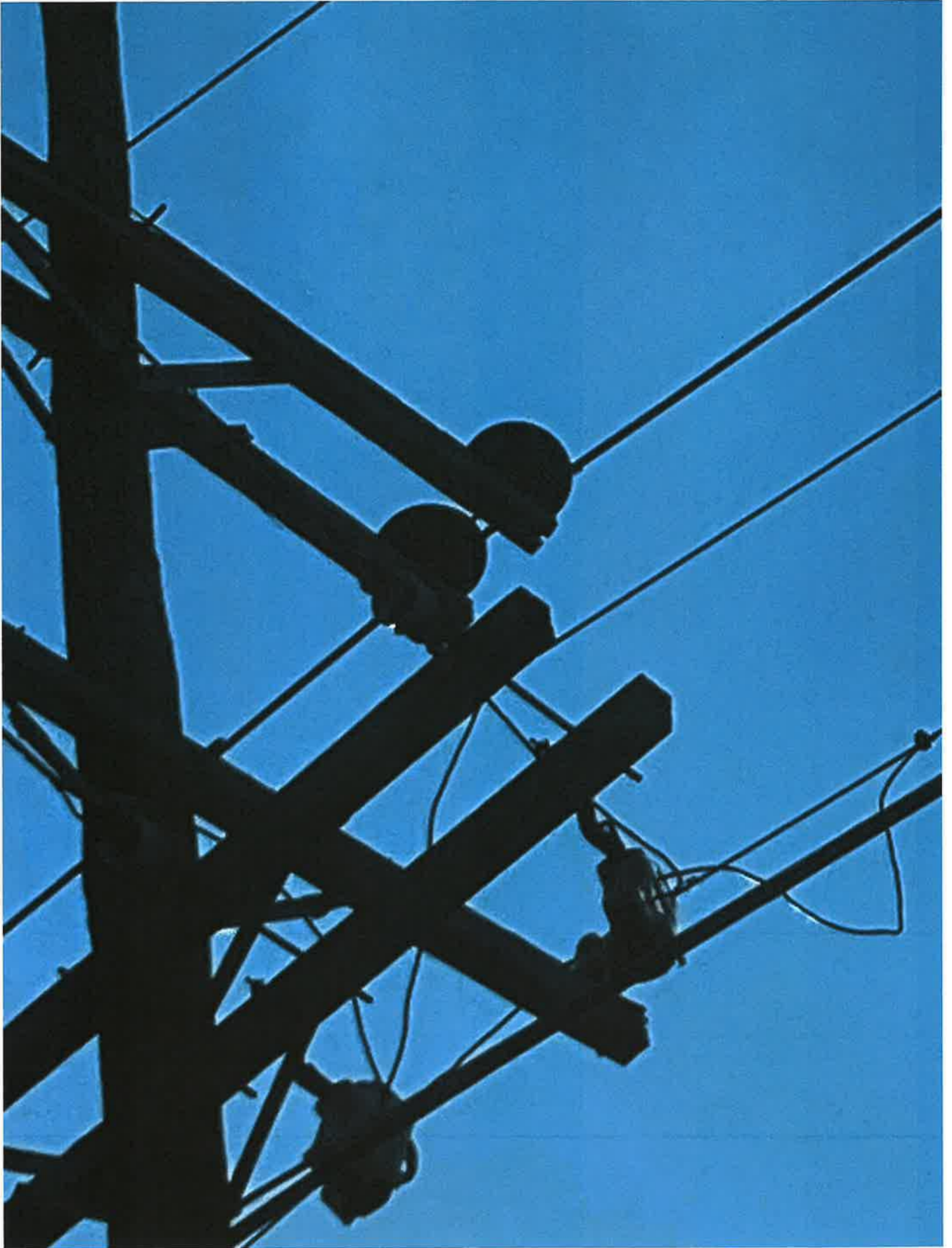
1. Device Facility ID: 861
2. RAMS Unique ID: N/A
3. Deficiency: **Split Cross Arm (Major)**
4. Risk Zone: Solid Primary
5. GPS Coordinates: 39.969345, -75.569670
6. Notes: N/A

Dispatch Report: Dispatch has not been notified per protocol.

PECO CP 2025 P20 Notification	
Date	<i>September 15, 2025</i>
Feeder	Goshen_351_Mall
Quad / ID	47D8C8 / 861
Address	4 Rolling Rd, West Chester, PA
Primary Issue	Split Cross Arm (Major)
Secondary Issue	N/A
Inspector Name	██████████
Reported By	██████████
Reported by Contact Number	██████████
Action Taken	Dispatch has not been notified per protocol.

Photo:





ATTACHMENT D



Resource Asset Management Solutions

PECO CP 2025 P20 Notification Report

Circuit/Feeder/Plat: LINE_3327

Prepared By: [REDACTED]

Date/Time Submitted: July 9, 2025

To:
PECO

District Control Center

Quad: 57A1B4
Equipment ID: N/A
Circuit ID: 3276
County: Delaware
District: DEL
Township: Darby Twp
Pole Sub: 314
Dispatcher's Name: N/A
Dispatch Instructions: N/A

Findings Reported:

1. Device Facility ID: 783
2. RAMS Unique ID: N/A
3. Deficiency: **Broken Cross Arm Braces (x2)**
4. Risk Zone: Solid Primary
5. GPS Coordinates: 39.921738, -75.263309
6. Notes: N/A

Dispatch Report: Dispatch has not been notified per protocol.

PECO CP 2025 P20 Notification

Date	July 9, 2025
Feeder	LINE_3327
Quad / ID	57A1B4 / 783
Address	47 N MacDade Blvd.
Primary Issue	Broken Cross Arm Braces (x2)
Secondary Issue	N/A
Inspector Name	██████████
Reported By	██████████
Reported by Contact Number	██████████
Action Taken	Dispatch has not been notified per protocol.

Photo:



