

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	R-2026-3062148
Office of Consumer Advocate	:	C-2026-3062404
Office of Small Business Advocate	:	C-2026-3062404
	:	
v.	:	
	:	
PECO Energy Company 1307(f) – Gas Division	:	

PREHEARING ORDER

On April 30, 2026, PECO Energy Company – Gas Division (PECO or the Company) made a preliminary filing with the Public Utility Commission (Commission) pursuant to 52 Pa. Code §§ 53.64 and 53.65 regarding proposed changes in rates resulting from changes in the purchased gas costs and other elements of the company’s Purchased Gas Cost (PGC) rate.

On May 1, 2026, Notices of Appearance were filed by Anthony Gay, Esq. and Shane P. Simon, Esq. on behalf of PECO.

On May 4, 2026, a Notice of Appearance was filed by Kruti B. Patel, Esq. on behalf of PECO.

On May 6, 2026, a Notice of Appearance was filed by Michael A. Podskoch, Jr., Esq. on behalf of the Bureau of Investigation and Enforcement (I&E).

On May 8, 2026, a Notice of Appearance was filed by Rebecca Lyttle, Esq. on behalf of the Office of Small Business Advocate (OSBA).

On May 8, 2026, the Office of Consumer Advocate (OCA) filed a Complaint (Docket No. C-2026-3062404), a Public Statement, and a Notice of Appearance for Harrison W. Breitman, Esq. and John Longhurst, Esq.

On May 27, 2026, a Petition to Intervene was filed by the Philadelphia Area Industrial Energy Users Group (PAIEUG).

On May 28, 2026, pursuant to 66 Pa.C.S.A. § 1307(f), 52 Pa. Code § 53.61 et seq. and the Schedule of Filing Dates established by the Commission, PECO filed its definitive PGC filing, PGC No. 43, Supplement No. 16 to Tariff Gas-Pa.P.U.C. No. 6, to become effective for service rendered on and after December 1, 2026.

As required by 52 Pa. Code § 53.68, PECO provided public notice of the proposed tariff through bill inserts and newspaper publication in PECO's service territory.

By operation of law, the filing was suspended for a period of six months for an investigation into the lawfulness, justness and reasonableness of the proposed rates and to satisfy the requirements of Sections 1307, 1317 and 1318 of the Public Utility Code, 66 Pa.C.S.A. §§ 1307, 1317, and 1318.

By Notice dated June 2, 2026, a Telephonic Prehearing Conference was scheduled for June 16, 2026, and the matter was assigned to me.

A Prehearing Order was issued on June 4, 2026, advising the parties of the date and time of the scheduled Prehearing Conference and informing them of the procedures applicable to this proceeding.

On June 4, 2026, the OSBA filed a Complaint (docketed at C-2026-3062960) and a Public Statement.

On June 15, 2026, Prehearing Memoranda were filed by PECO, OCA, OSBA, I&E, and PAIEUG.

A Telephonic Prehearing Conference was held on June 16, 2026. Counsel for PECO, OCA, OSBA, I&E, and PAIEUG participated.

This Prehearing Order memorializes the matters decided and agreed upon by the parties attending the June 16, 2026 Prehearing Conference.

THERERFORE,

IT IS ORDERED:

1. That the parties of record as of this date are PECO, OCA, OSBA, I&E, and PAIEUG.
2. That the parties may arrange service amongst themselves as they agree.
3. That parties may serve documents electronically by 4:30 p.m. to meet any required due date, with the provision that large documents not able to be transmitted electronically may be hand-delivered to the parties located in Harrisburg on the due date and received the next business day by parties located outside Harrisburg.
4. That discovery shall be conducted according to the Commission's rules and regulations at 52 Pa. Code § 5.321 *et seq*, subject to the following modifications:
 - A. When an interrogatory, request for production, request for admission or motion is served after 4:30 p.m. Monday through Thursday or after 1:30 p.m. on a Friday or the day before a holiday recognized by the Commission, the appropriate response period is deemed to start on the next business day.

- B. The response period for replying to written interrogatories, requests for production and requests for admissions is eight (8) calendar days of receipt. Responses may be served electronically.
- C. Objections to written interrogatories, requests for production and requests for admissions are to be communicated orally to the party serving the interrogatory within three (3) calendar days of receipt and in writing within five (5) calendar days of receipt. The parties are directed to confer, by telephone or e-mail, and attempt to resolve the objections.
- D. Motions to dismiss objections and to compel responses shall be filed with the Commission and served on the Administrative Law Judge and the other parties within three (3) calendar days of receipt of the written objections. Answers to such motions shall be filed and served within three (3) calendar days after filing of the motion.
- E. If the objections are not resolved, counsel will alert the presiding officer by e-mail of the need for a ruling, and a conference call will be scheduled. The presiding officer will make a ruling over the telephone and not reduce it to writing unless requested to do so.
- F. Interrogatories, requests for production and requests for admissions that are objected to but which are not made the subject of a motion to compel will be deemed withdrawn.
- G. Requests for admission shall be deemed admitted unless objected to within five (5) calendar days of receipt or answered within ten (10) calendar days of receipt.
- H. Discovery requests, motions to compel and responses are to be served electronically.
- I. Any discovery-related pleading such as objections, motions or answers served after 1:30 PM on a Friday or the day before a holiday recognized by the Commission will be deemed to have been served on the following business day for purposes of tracking due dates.
- J. After rebuttal testimony is served, the foregoing deadlines should be reduced as follows:

(1) Answers to interrogatories and responses to requests for document production, entry for inspection, or other purposes shall be served within five (5) business days of service of the interrogatories or requests for production.

(2) Objections to interrogatories and/or requests for production shall be communicated orally to the propounding party within two (2) business days of service; unresolved objections shall be served on the propounding party in writing within three (3) business days of service of the interrogatories and/or requests for production.

(3) Motions to dismiss objections and/or direct the answering of interrogatories and/or requests for production shall be filed within two (2) business days of service of written objections.

(4) Answers to motions to dismiss objections and/or direct the answering of interrogatories and/or requests for production shall be filed within two (2) business days of service of such motions.

(5) Requests for admission shall be deemed admitted unless answered or objected to within three (3) business days of service.

(6) Discovery requests and discovery related pleadings (such as objections, motions, and answers to same) served after 4:30 p.m. Monday through Thursday or after 1:30 p.m. on a Friday or the day preceding a holiday shall be deemed to have been served on the next business day.

5. That the parties are required to attempt to resolve discovery disputes among themselves prior to seeking a resolution from the Administrative Law Judge.

6. That discovery disputes may be resolved via telephone conference with the Administrative Law Judge without the need for filing a motion to compel, although the propounding party may choose to file a formal motion to compel.

7. That the following schedule is adopted:

<u>Subject</u>	<u>Date</u>
Rate Filing	April 30, 2026
Prehearing Conference	June 16, 2026
Direct Testimony	July 8, 2026
Rebuttal Testimony	July 15, 2026
Surrebuttal Testimony	July 20, 2026
Evidentiary Hearings	July 22-23, 2026
Close of Record	July 23, 2026
Main Briefs	July 31, 2026
Reply Briefs	August 7, 2026
Recommended Decision	September 4, 2026
End of Suspension	December 1, 2026

8. That the July 22-23, 2026, hearings will be held in-person. Parties will complete the daily witness listing and cross-examination grid as directed.

9. That any motions with respect to, or objections to, written testimony must be presented in writing no later than three days prior to the day that the witness sponsoring that testimony is scheduled to testify. Answers to such motions or objections may be filed within three days or sooner if circumstances warrant. Oral motions, other than for good cause, shall not be accepted.

10. In accordance with the schedule set forth above, main briefs must be filed with the Secretary of the Commission and received by all parties no later than 4:30 p.m. on the date listed; reply briefs must be filed with the Secretary and received by all parties no later than 12:00 p.m. on the date listed.

11. That an original copy of all briefs must be filed with the Secretary, in accordance with 52 Pa. Code § 5.502(b), and one copy served on the presiding officer and the other parties no later than 4:30 p.m. on the dates listed. Service can be made electronically.

12. That all briefs shall comply with the requirements of 52 Pa. Code §§ 5.501 and 5.502, and in addition to the mandatory contents set forth in 52 Pa. Code § 5.501(a), all main briefs, regardless of length, must contain:

- A. A table of contents;
- B. A history of the proceeding;
- C. A discussion;
- D. Proposed findings of fact (with record citations to transcript pages or exhibits where supporting evidence appears);
- E. Proposed conclusions of law (with citations to supporting statutes, regulations or relevant case law); and
- F. Proposed ordering paragraphs specifically identifying the relief sought.

Please note 52 Pa. Code § 5.501(e) requires that “[b]riefs shall be as concise as possible.”

13. That the parties are to confer amongst themselves to resolve all, or as many as possible, of the issues associated with this proceeding. The parties are reminded it is the Commission’s policy to encourage settlements. 52 Pa. Code §5.231(a). The parties are strongly urged to seriously explore this possibility. If a settlement is reached, a joint settlement petition executed by representatives of all parties to be bound thereby, together with statements in support of settlement by all signatory parties, must be filed with the Secretary for the Commission and served on the presiding officer.

14. That the parties shall comply with the procedural rules and regulations discussed herein.

15. That any of the provisions of this Prehearing Order may be modified upon motion and good cause shown by any party in interest.

Date: June 26, 2026

/s/
F. Joseph Brady
Administrative Law Judge

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ENERGY COMPANY – 1307(F)**

BRENDAN J TAYLOR VICE PRESIDENT
KRISTIN JOHNSON ESQUIRE
PECO ENERGY COMPANY
2301 MARKET STREET S18
PHILADELPHIA PA 19103
667.313.3126
215.841.4635

brendan.taylor@exeloncorp.com

kristin.johnson@exeloncorp.com

Served via email and eService June 26, 2026

SHANE SIMON ESQUIRE
KRUTI B PATEL ESQUIRE
SAUL EWING ARNSTEIN & LEHR LLP
1500 MARKET STREET
PHILADELPHIA PA 19102
215.972.7160
215.972.7735

shane.simon@saul.com

kruti.patel@saul.com

Served via eService June 26, 2026

(Counsel for PECO Energy Company)

MICHAEL PODSKOCH ESQUIRE
BUREAU OF INVESTIGATION & ENFORCEMENT
400 NORTH STREET
HARRISBURG PA 17120
717.783.6151

mpodskoch@pa.gov

Served via eService June 26, 2026

REBECCA LYTTLE ESQUIRE
NAZAARAH SABREE ESQUIRE
OFFICE OF SMALL BUSINESS ADVOCATE
555 WALNUT STREET 1ST FLOOR
HARRISBURG PA 17101
717.783.2525

relyttle@pa.gov

ra-sba@pa.gov

Served via email June 26, 2026

JOHNATHAN LONGHURST ESQUIRE
HARRISON WILLIAM BREITMAN ESQUIRE
OFFICE OF CONSUMER ADVOCATE
555 WALNUT STREET 5TH FLOOR
HARRISBURG PA 17101
717.783.5048
717.780.4536
jlonghurst@paoca.org
hbreitman@paoca.org
Served via eService June 26, 2026

CHARIS MINCAVAGE ESQUIRE
ADEOLU A BAKARE ESQUIRE
VICTORIA GEDDIS ESQUIRE
BRIGID LANDY KHURI ESQUIRE
MATTHEW L GARBER ESQUIRE
REBECCA KIMBEL ESQUIRE
MCNEES WALLACE & NURICK
100 PINE STREET
PO BOX 1166
HARRISBURG PA 17101
717.237.5437
717.232.8000
223.225.4640
717.237.5270
717.237.5426
cmincavage@mwn.com
abakare@mcneeslaw.com
vgeddis@mcneeslaw.com
bkhuri@mcneeslaw.com
mgarber@mcneeslaw.com
rkimmel@mcneeslaw.com
Served via eService June 26, 2026
(Counsel to the Philadelphia Area Industrial Energy Users Group)