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Senate of Pennsylvania

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THE CENTER FOR RURAL PENNSYLVANIA
CHAIRMAN

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

Re: Default Service Proceedings (Docket No. P-2026-3060298)

Chairman and Commissioners:

I write to express concern about proposals in pending default service proceedings that could fundamentally alter Pennsylvania's competitive electricity market through administrative action rather than legislative direction.

The General Assembly established Pennsylvania's electric choice framework through the Electricity Generation Customer Choice and Competition Act, balancing consumer protections, competitive market development, customer choice, and electric distribution companies' default service obligations. That framework has governed Pennsylvania's electric markets for decades and reflects deliberate policy decisions made by the Commonwealth's elected representatives.

While the Commission has important authority to implement and administer the law, significant changes to retail competition, customer enrollment practices, supplier participation, or market operations should be authorized by the General Assembly rather than created through administrative proceedings.

The Commission's role is to faithfully execute the statute enacted by the legislature, not to redefine the policy judgments it contains. When proposed regulatory changes alter the balance between customer choice and default service, change the rules under which competitive suppliers operate, or reshape the competitive market, those issues become matters of legislative policy.

There is a meaningful distinction between implementing existing law and making new law. The former falls within the Commission's jurisdiction; the latter rests with the General Assembly. Pennsylvania's constitutional framework depends on maintaining that separation of powers.

Reasonable people may disagree with specific aspects of the retail electricity market, and reforms may warrant consideration. However, when proposed changes represent substantial departures from the competitive market structure established by statute, they should be debated transparently through the legislative process, with public input, stakeholder engagement, committee review, and consideration of broader policy implications.

The General Assembly remains the appropriate forum for major changes to Pennsylvania's electricity market design. If additional statutory direction is needed, the legislature can evaluate those issues and provide clear guidance.

I respectfully encourage the Commission to exercise restraint where proposed actions may exceed implementation of existing law and venture into new market policy. Doing so will preserve the legislature's role in establishing energy policy and maintain public confidence in Pennsylvania's regulatory and constitutional processes.

Thank you for your consideration of these comments and for your continued service to the citizens of Pennsylvania.

Sincerely,


GENE YAW
SENATOR