



COMMONWEALTH OF PENNSYLVANIA

April 16, 2015

HAND DELIVERED

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
P. O. Box 3265
Harrisburg, PA 17105-3265

**Re: Pennsylvania Public Utility Commission v. PECO Energy Company for
Approval of its Electric Long Term Infrastructure Improvement Plan and
To Establish a Distribution System Improvement charge for its Electric
Operations
Docket No. P-2015-2471423**

Dear Secretary Chiavetta:

I am delivering for filing today the originals of the **Answer, Notice of Intervention, and Public Statement**, on behalf of the Office of Small Business Advocate, in the above-captioned proceeding. As discussed previously with Commission staff, the legislatively-mandated Public Statement is attached as part of this package.

Two copies have been served today on all known parties in this proceeding. A Certificate of Service to that effect is enclosed.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Elizabeth Rose Triscari".

Elizabeth Rose Triscari
Deputy Small Business Advocate
Attorney ID No. 306921

Enclosures

cc: Parties of Record
Brian Kalcic

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PECO Energy Company for	:	
Approval of its Electric Long Term	:	
Infrastructure Improvement Plan and to	:	Docket No. P-2015-2471423
Establish a Distribution System Improvement	:	
Charge for its Electric Operations	:	

**ANSWER OF THE OFFICE OF
SMALL BUSINESS ADVOCATE**

Pursuant to 52 Pa. Code §5.61(e), the Office of Small Business Advocate (“OSBA”) hereby answers the Petition filed by PECO Energy Company (“PECO” or “Company”) with the Pennsylvania Public Utility Commission (“Commission”) on March 27, 2015, and avers the following in support thereof:

1. The OSBA is an agency of the Commonwealth of Pennsylvania authorized by the Small Business Advocate Act (Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50) to represent the interest of small business consumers as a party in proceedings before the Commission.

Concurrent with the filing of this Answer, the OSBA is filing a Notice of Intervention and Public Statement in connection with the above-captioned proceeding to protect the interest of the Company’s small business customers.

2. In the Petition, the Company seeks approval of its Electric Long Term Infrastructure Improvement Plan (“LTIIP”) and to establish a distribution system improvement charge (“DSIC”) for its electric operations. Accordingly, PECO requests that the Commission authorize the Company to file the tariff supplement attached to its Petition as PECO Exhibit No. 2 (“DSIC Tariff”) on at least one days’ notice to become effective on January 1, 2016.


3. After preliminary review of the materials filed by the Company in support of the Petition, the OSBA believes, and therefore avers, that the Company's proposals may be unjust, unreasonable, and unlawfully discriminatory in violation of, *inter alia*, Sections 1301 and 1304 of the Public Utility Code, 66 Pa.C.S. §§1301 and 1304, and contrary to appropriate public policy and sound ratemaking considerations, and may not be supported by the materials filed by the Company.

4. In view of the foregoing, the Office of Small Business Advocate respectfully requests that the Commission:

- a. Suspend and investigate the operation of PECO's proposed tariff changes;
- b. At the conclusion of such investigation, reject the proposed tariff changes to the extent required to insure that PECO's rates are lawful, just, reasonable and not unduly discriminatory; and
- c. Grant such other relief as may be necessary or appropriate.

WHEREFORE, the Office of Small Business Advocate respectfully requests that the Commission refer the Petition to the Office of Administrative Law Judge for investigation and hearings and the preparation of a Recommended Decision.

Respectfully submitted,


Elizabeth Rose Triscari
Deputy Small Business Advocate
Attorney I.D. No. 306921

Office of Small Business Advocate
300 North Second Street, Suite 202
Harrisburg, PA 17101
(717) 783-2525

Date: April 16, 2015

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PECO Energy Company for	:	
Approval of its Electric Long Term	:	
Infrastructure Improvement Plan and to	:	Docket No. P-2015-2471423
Establish a Distribution System Improvement	:	
Charge for its Electric Operations	:	

**NOTICE OF INTERVENTION
OF THE SMALL BUSINESS ADVOCATE**

1. The Intervenor is:

John R. Evans
Small Business Advocate
Office of Small Business Advocate
300 North Second Street, Suite 202
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)
jorevan@pa.gov

2. The name and address of the Intervenor's attorney is:

Elizabeth Rose Triscari
Deputy Small Business Advocate
Office of Small Business Advocate
300 North Second Street, Suite 202
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)
etriscari@pa.gov

3. The respondent utility is:

PECO Energy Company
2301 Market Street
Philadelphia, PA 19103


4. The Intervenor is authorized and directed by the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50, to represent the interests of small business consumers of utility services in matters before the Pennsylvania Public Utility Commission (“Commission”).

5. This Intervention is filed regarding the Petition filed by PECO Energy Company (“PECO” or “Company”) with the Commission on March 27, 2015, seeking approval of its Electric Long Term Infrastructure Improvement Plan (“LTIIP”) and to establish a distribution system improvement charge (“DSIC”) for its electric operations.

6. In view of the foregoing, the Small Business Advocate respectfully requests that the Pennsylvania Public Utility Commission:

- a. Suspend and investigate the operation of PECO’s proposed tariff changes;
- b. At the conclusion of such investigation, reject the proposed tariff changes to the extent required to insure that PECO’s rates are lawful, just, reasonable and not unduly discriminatory; and
- c. Grant such other relief as may be necessary or appropriate.

Respectfully submitted,



Elizabeth Rose Triscari
Deputy Small Business Advocate
Attorney ID No. 306921

Office of Small Business Advocate
300 North Second Street, Suite 202
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)

Dated: April 16, 2015

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PECO Energy Company for :
Approval of its Electric Long Term :
Infrastructure Improvement Plan and to : **Docket No. P-2015-2471423**
Establish a Distribution System Improvement :
Charge for its Electric Operations :

**PUBLIC STATEMENT
OF THE SMALL BUSINESS ADVOCATE**

The Small Business Advocate is authorized and directed to represent the interests of small business consumers of utility services in Pennsylvania under the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50 (“Act”). The Act further provides that the Small Business Advocate is to issue publicly a written statement setting forth concisely the specific interest of small business consumers to be protected by his initiation of or intervention in any proceeding involving those interests before the Pennsylvania Public Utility Commission (“Commission”) or any other agency or court. This public statement relates to the Small Business Advocate’s intervention in the above-captioned Commission proceedings.

On March 27, 2015, PECO Energy Company (“PECO” or “Company”), filed a Petition for approval of its Electric Long Term Infrastructure Improvement Plan (“LTIIIP”) and to establish a distribution system improvement charge (“DSIC”) for its electric operations, initiating the above-captioned proceeding.

The Small Business Advocate is intervening in the above-captioned proceeding in order to protect the interests of PECO’s small business customers. A thorough inquiry by the Commission into all of the elements of PECO’s petition is necessary to ensure that

PECO's proposals for making and paying for distribution system improvements are in accord with the Public Utility Code and with the Commission's regulations and policies.

In view of the foregoing, the Small Business Advocate is requesting that the petition be subject to investigation and evidentiary hearings before the Commission. The Small Business Advocate will ask the Commission to deny or modify any aspect of the PECO's proposal that is not proven by PECO to be in accord with the Public Utility Code and with the Commission's regulations and policies.

Dated: April 16, 2015

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of PECO Energy Company for :
Approval of its Electric Long Term : **Docket No. P-2015-2471423**
Infrastructure Improvement Plan and :
To Establish a Distribution System :
Improvement Charge for its Electric :
Operations :

CERTIFICATE OF SERVICE

I certify that I am serving two copies of the Answer, Notice of Intervention, and Public Statement, on behalf of the Office of Small Business Advocate in the above-captioned proceeding, by e-mail and first class mail (unless otherwise noted) upon the persons addressed below:

Hon. Charles E. Rainey, Jr.
Administrative Law Judge
PA Public Utility Commission
400 North Street
Harrisburg, PA 17120
(717) 787-1191
(717) 787-0481 (fax)
crainey@pa.gov
(E-mail & Hand Delivery)

Johnnie E. Simms, Esq
Bureau of Investigation & Enforcement
PA Public Utility Commission
400 North Street
Harrisburg, PA 17120
(717) 787-1191
(717) 787-0481 (fax)
josimms@pa.gov
(E-mail & Hand Delivery)

Erin L. Gannon, Esquire
Brandon J. Pierce, Esquire
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17120
egannon@paoca.org
bpierce@paoca.org
(717) 783-5048
(717) 783-7152
(E-mail & Hand Delivery)

Paul T. Diskin
Bureau of Technical Utility Services
PA Public Utility Commission
400 North Street
Harrisburg, PA 17120
pdiskin@pa.gov
(Hand Delivery)

J. Barry Davis
Chief Deputy City Solicitor
City of Philadelphia Law Department
One Parkway Building
1515 Arch Street, 16th floor
Philadelphia, PA 19102-1595
j.barry.davis@phila.gov

Charis Mincavage
McNees Wallace & Nurick LLC
P.O. Box 1166
100 Pine Street
Harrisburg, PA 17108-1166
cmincavage@mwn.com

Thu B. Tran, Esq
Community Legal Services, Inc.
1424 Chestnut Street
Philadelphia, PA 19102-2505
tran@clsphila.org

Todd S. Stewart
Hawke McKeon & Sniscak LLP
P.O. Box 1778
100 North Tenth Street
Harrisburg, PA, 17105-1778
tsstewart@hmslegal.com

John W. Norbeck
Acting President and CEO
Citizens for Pennsylvania's Future
610 North Third Street
Harrisburg, PA. 17101
norbeck@pennfuture.org

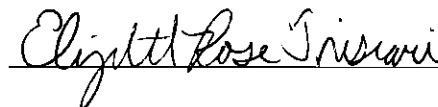
Donald R. Wagner
Linda R. Evers
Michael A. Gruin
Stevens & Lee
111 North Sixth Street
Reading, PA 19601
drw@stevenslee.com
lr@stevenslee.com
mag@stevenslee.com

Philip L. Hinerman
Fox Rothschild LLP
2000 Market Street, 20th Floor
Philadelphia, PA 19103-3222
phinerman@foxrothschild.com

Gary A. Jeffries
Assistant General Counsel
Dominion Retail, Inc
501 Martindale Street, Suite 400
Pittsburgh, PA 15212-5817
Gary.A.Jeffries@dom.com

Charles T. Joyce
Spear Wilderman, P.C.
230 South Broad Street, Suite 1400
Philadelphia, PA 19102
ctjoyce@spearwilderman.com

Arthur Z. Schwartz
Advocates for Justice and Reform Now, PC
c/o Schwartz, Lichten & Bright
225 Broadway, Suite 1902
districleader@msn.com



Elizabeth Rose Triscari
Deputy Small Business Advocate
Attorney ID No. 306921

Date: April 16, 2015