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June 24, 2015

**VIA ELECTRONIC &  
FIRST CLASS MAIL**

The Honorable Angela T. Jones  
Administrative Law Judge  
Pennsylvania Public Utility Commission  
801 Market Street, Suite 4063  
Philadelphia, PA 19107

**Re: Pennsylvania Public Utility Commission v. PECO Energy Company – Electric Division  
Docket No. R-2015-2468981**

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Dear Judge Jones:

On June 22, 2015, the Environmental Defense Fund (“EDF”) served, *inter alia*, its Petition to Intervene (“Petition”) and Prehearing Memorandum in this case. In those documents, EDF identified issues in which it “has an interest” and believes are “in this proceeding” (*see* EDF Prehearing Memorandum, pp. 18-22; Petition ¶ 7).

Although PECO Energy Company (“PECO” or the “Company”) does not oppose the intervention of EDF, it reserves the right to object to the introduction of, and presentation of evidence regarding, certain of the issues identified by EDF that are not within the permissible scope of an electric distribution base rate proceeding and, in fact, are the subject of separate proceedings at different dockets. For example, access to customer usage data is currently being addressed by the Commission in the proceeding at Docket No. M-2009-2092655.<sup>1</sup> Similarly, dynamic pricing directly implicates generation supplied to customers and, therefore, is offered by

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<sup>1</sup> *See Submission of the Electronic Data Exchange Working Group’s Web Portal Working Group’s Solution Framework for Historical Interval Usage and Billing Quality Interval Use*, Docket No. M-2009-2092655 (Tentative Order entered April 23, 2015).

**The Honorable Angela T. Jones**

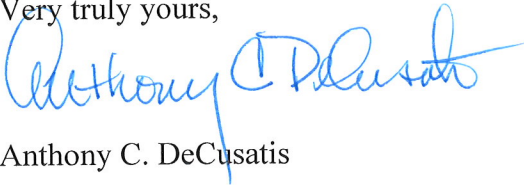
**June 24, 2015**

**Page 2**

electric distribution companies (“EDCs”) in their capacity as default service providers (*see* 66 Pa.C.S §2807(f)(5)), and not as part of electric distribution service.<sup>2</sup>

In summary, for the foregoing reasons, while not opposing EDF’s intervention, PECO will oppose, either through rebuttal testimony or by motion, as it deems appropriate, attempts to interject issues that are not properly within the scope of this proceeding.

Very truly yours,



Anthony C. DeCusatis

ACD/tp

c: Per Certificate of Service

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<sup>2</sup> *See Investigation of Pennsylvania’s Retail Electricity Market: Recommendations Regarding Upcoming Default Service Plans*, Docket No. I-2011-2237952 (December 16, 2011), p. 48 (“This Order is intended to recommend that EDC’s incorporate new formats and designs within their upcoming default service filings that can help to alleviate the challenges that have arisen from TOU mandates.” *See also Joint Petition of Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company for Approval of Their Default Service Programs*, Docket Nos. P-2011-2273650 *et al*, p. 87 (“Section 2807(f)(5) of the Public Utility Code, 66 Pa.C.S. §2807(f)(5), provides that default service providers must submit one or more TOU rates and real-time price plans to the Commission in their default plans.”).

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**PENNSYLVANIA PUBLIC UTILITY            :**  
**COMMISSION                                :**  
**v.                                        :** **DOCKET NO. R-2015-2468981**  
**PECO ENERGY COMPANY -               :**  
**ELECTRIC DIVISION                        :**

**CERTIFICATE OF SERVICE**

I hereby certify and affirm that I have this day served a copy of **Letter to The Honorable Angela T. Jones on behalf of PECO Energy Company** on the following persons in the matter specified in accordance with the requirements of 52 Pa. Code § 1.54:

**VIA ELECTRONIC MAIL AND FIRST CLASS MAIL**

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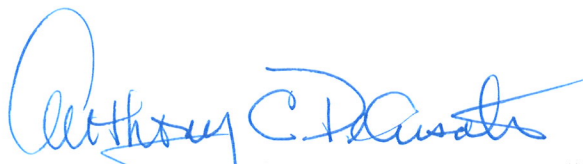
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