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December 8, 2015

**By eFiling**

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

Re: Pennsylvania Public Utility Commission v. PECO Energy Company, Docket No. R-2015-2468981.

Dear Secretary Chiavetta:

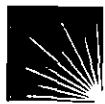
Clean Air Council respectfully requests that the Commission accept this Prehearing Memorandum (attached) in the above captioned matter. This original Memorandum was filed within the required time limit, however, it was returned to the Clean Air Council's Harrisburg office due to lack of original signature. The returned Memorandum was not noticed by Clean Air Council staff until recently. Clean Air Council would request that all further correspondence be sent to the Philadelphia address:

135 S. 19<sup>th</sup> Street  
Suite 300  
Philadelphia, PA 19103

Sincerely,

Joseph Otis Minott, Esquire

Attorney for Clean Air Council



**Clean Air** Council

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May 7, 2015

**By eFiling**

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

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

Dear Secretary Chiavetta:

Enclosed please find the Clean Air Council's Prehearing Memorandum in the above-captioned matter. The attached petition has been eFiled and served electronically upon all parties on the Service List.

Sincerely,

Joseph Otis Minott, Esquire

Ernest Logan Welde, Esquire

Attorneys for Clean Air Council

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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Pennsylvania Public Utility Commission

v.

PECO Energy Company - Electric Division

R-2015-2468981

**Prehearing Memorandum**

On April 28, 2015, a Prehearing Conference Order was issued by the Honorable Angela T. Jones, Administrative Law Judge. The Order set forth specifications to direct the course of litigation and ordered parties to provide information about certain aspects of the proceedings to be resolved at the Prehearing Conference, scheduled for May 11, 2015. In response, Clean Air Council ("CAC"), hereby files this Prehearing Conference Memorandum.

**I. Background**

On March 27, 2015, PECO Energy Company ("PECO") submitted a rate filing, Tariff-Electric PA P.U.C. No. 5 ("Tarriff 5"), in which PECO proposes to increase its retail distribution rates by approximately \$190.1 million. This would result in an average increase of approximately 15.6% in distribution rates. For residential customers, PECO proposes to increase the customer charges for both Rate R and RH by 68.3%.

On April 23, 2015 the Commission entered an order, which instigated an investigation to determine the lawfulness, justness, and reasonableness of the rates, rules, and regulations contained in Tarriff 5. Clean Air Council filed its Petition to Intervene on May 1, 2015.

**II. Issues to be Presented**

Based upon its initial review of PECO's proposal CAC has identified the following issues:

- a. Financial impact on low- and moderate-income CAC members (all are PECO rate payers);
- b. Impact on CAC members (all are PECO rate payers) who have considered, installed, or will plan to install renewable energy sources, including, but not limited to photovoltaic panels (solar);
- c. Impact on CAC members (all are PECO rate payers) who have considered, installed, or will plan to install energy efficiency products or take any action to reduce energy consumption through practicing energy efficiency.

Clean Air Council reserves the right to raise other issues as those may arise.

### **III. Witnesses**

Clean Air Council has not identified a witness that it may call, however, CAC reserves the right to call a witness, or witnesses.

### **IV. Proposed Schedule**

Clean Air Council will work with all parties to establish a reasonable schedule.

### **V. Settlement**

Clean Air Council will engage in settlement discussions with any and all parties in an attempt to resolve or narrow the issues in this proceeding.

### **VI. Public Input Hearings**

Due to the potential impact on all PECO rate payers, including CAC members, CAC suggests that at least five (5) public hearings be held in order to allow the maximum input from PECO rate payers. PECO's proposed rate increase has the potential to deeply impact low- and moderate-income members and those who intend to, or have taken steps to implement energy efficiency measures and/or have considered or installed renewable energy sources. The public's input in this proposal is extremely critical and should be considered by the Commission.

### **VII. Service on Clean Air Council**

Electronic service only of all documents should be served on CAC as follows:

Joseph O. Minott, Esq.

E-Mail: joe\_minott@cleanair.org

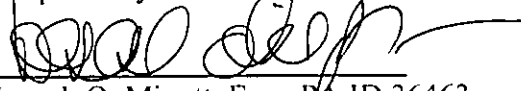
Logan Welde, Esq.

E-Mail: lwelde@cleanair.org

Telephone: 215-567-4004 - 126

WHEREFORE, Clean Air Council respectfully submits this Prehearing Conference Memorandum.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joseph O. Minott", written over a horizontal line.

Joseph O. Minott, Esq., PA ID 36463  
Logan Welde, Esq., PA ID: 315012  
135 S. 19<sup>th</sup> Street, Suite 300  
Philadelphia, Pennsylvania 19103

May 7, 2015

## CERTIFICATE OF SERVICE

I hereby certify that this day I served a copy of Clean Air Council's Petition to Intervene upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code § 1.54.

### **Via Email and/or First Class Mail**

<p>Romulo L. Diaz, Jr., Esq.          Jack R. Garfinkle, Esq.          W. Craig Williams, Esq.          PECO Energy Company          2301 Market Street          PO Box 8699          Philadelphia, PA 19101  <a href="mailto:romulo.diaz@exeloncorp.com">romulo.diaz@exeloncorp.com</a>  <a href="mailto:jack.garfinkle@exeloncorp.com">jack.garfinkle@exeloncorp.com</a>  <a href="mailto:craig.williams@exeloncorp.com">craig.williams@exeloncorp.com</a></p>	<p>Thomas P. Gadsen, Esq.          Anthony C. DeCusatis, Esq.          Brooke E. McGlinn, Esq.          Catherine G. Vasudevan          Morgan, Lewis &amp; Bockius LLC          1701 Market Street          Philadelphia, PA 19103  <a href="mailto:tgadsen@morganlewis.com">tgadsen@morganlewis.com</a>  <a href="mailto:adecusatis@morganlewis.com">adecusatis@morganlewis.com</a>  <a href="mailto:bmcglinn@morganlewis.com">bmcglinn@morganlewis.com</a>  <a href="mailto:cvasudevan@morganlewis.com">cvasudevan@morganlewis.com</a></p>
<p>Daniel G. Asmus, Esq.          Office of Small Business Advocate          300 North Second Street, Suite 202          Harrisburg, PA 17101  <a href="mailto:dasmus@pa.gov">dasmus@pa.gov</a></p>	<p>Jennedy S. Johnson, Prosecutor          Bureau of Investigation &amp; Enforcement          Pa. Public Utility Commission          400 North Street          Harrisburg, PA 17120  <a href="mailto:jennejohns@pa.gov">jennejohns@pa.gov</a></p>
<p>Aron J. Beatty, Esq.          Christy Appleby, Esq.          Brandon J. Pierce, Esq.          Office of Consumer Advocate          555 Walnut Street, 5<sup>th</sup> Floor          Harrisburg, PA 17101-1923  <a href="mailto:abeatty@paoca.org">abeatty@paoca.org</a>  <a href="mailto:cappleby@paoca.org">cappleby@paoca.org</a>  <a href="mailto:bpierce@paoca.org">bpierce@paoca.org</a></p>	<p>Josie B. H. Pickens, Esq.          Thu B. Tran, Esq.          Robert W. Ballenger, Esq.          Community Legal Services, Inc.          1424 Chestnut Street          Philadelphia, PA 19102  <a href="mailto:jpickens@clsphila.org">jpickens@clsphila.org</a>  <a href="mailto:ttran@clsphila.org">ttran@clsphila.org</a>  <a href="mailto:rballenger@clsphila.org">rballenger@clsphila.org</a></p>
<p>Charis Mincavage, Esq.          McNees Wallace &amp; Nurick          100 Pine Street          PO Box 1166          Harrisburg, PA 17108  <a href="mailto:cmincavage@mwn.com">cmincavage@mwn.com</a></p>	<p>Elizabeth R. Marx, Esq.          Harry S. Geller, Esq.          Pennsylvania Utility Law Project          118 Locust Street          Harrisburg, PA 17101  <a href="mailto:pulp@palegalaid.net">pulp@palegalaid.net</a></p>

*Ernest Logan Welde*  
 Ernest Logan Welde, Esq.

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Clean Air Council



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Suite 300

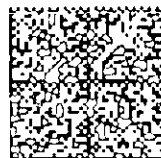
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Secretary Rosemary Chiavetta

Pennsylvania Public Utility Commission

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Harrisburg, PA 17105-3265

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