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March 28, 2017

## VIA FEDERAL EXPRESS CONFIDENTIAL TREATMENT REQUESTED

RECEIVED

MAR 2 8 2017

PA PUBLIC UTILITY COMMISSION SECRETARY'S EUREAU

Rosemary Chiavetta, Secretary Pennsylvania Public Utility Commission Commonwealth Keystone Building 400 North Street, 2nd Floor Harrisburg, PA 17120

Re: Petition of PECO Energy Company for Approval of its Act 129 Phase III

<u>Energy Efficiency and Conservation Plan, Docket No. M-2015-2515691</u>

Dear Secretary Chiavetta:

Enclosed for filing is PECO Energy Company's proposed Act 129 Conservation Service Provider ("CSP") contract with the EnerNOC, Inc. ("EnerNOC") for which PECO requests Commission review and approval. PECO has selected EnerNOC for the provision of services in connection with the Company's Demand Response Aggregator Program. PECO requests that the Commission review the EnerNOC contract on an expedited basis to allow sufficient time for demand response resources to be enrolled before the performance period begins on June 1, 2017.

## Please note that this contract is CONFIDENTIAL and should be accorded confidential treatment by the Commission.

The request for proposals ("RFP") for services in connection with the Company's Demand Response Aggregator Program was issued on June 17, 2016 by Exelon Business Services Company and was conducted in a manner consistent with PECO's Commission-approved RFP process. The EnerNOC contract is consistent with the Commission's contract criteria in the Phase III Implementation Order.<sup>2</sup>

EnerNOC is a Commission-registered CSP (see Docket No. A-2009-2102368).

Energy Efficiency and Conservation Program, Docket No. M-2014-2424864 (Final Order entered June 19, 2015), pp. 126-127.

Rosemary Chiavetta, Secretary March 28, 2017 Page 2

Kindly return a time-stamped copy of this cover letter in the self-addressed, stamped envelope that is enclosed. If you have any questions regarding this filing, please do not hesitate to contact me at 215.841.4608.

Very truly yours,

Jack R. Garfinkle

**Enclosures** 

c: Patricia Wiedt, Law Bureau (w/encls.)
Charles Covage, Bureau of Technical Utility Services (w/encls.)



PHILADELPHIA PA 19103 UNITED STATES US

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**ROSEMARY CHIAVETTA, SECRETARY** PENNSYLVANIA PUBLIC UTILITY COMMISS

HARRISBURG PA 17120

REF 72113-001515-1296

400 NORTH ST FL 2

WED - 29 MAR 10:30A **PRIORITY OVERNIGHT** 

17120

- FOLD on this line and place in shipping pouch with bar code and delivery address visible
  - Fold the first printed page in half and use as the shipping label. Place the label in a waybill pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned. ← ~i
    - Keep the second page as a receipt for your records. The receipt contains the terms and conditions of shipping and information useful for tracking your package.

## Legal Terms and Conditions

exceed actual documented loss. Maximum for items of extraordinary value is 500 USD, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see applicable Tendering packages by using this system constitutes your agreement to the service conditions for the transportation of your shipments as found in the applicable FedEx Service Guide, available upon request. FedEx will not be responsible for any claim in excess of the applicable declared value, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the applicable FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, or special is limited to the greater of 100 USD or the authorized declared value. Recovery cannot including, without limitation, improper or insufficient packaging, securing, marking or addressing, or the acts or omissions of the FedEx Service Guide. FedEx will not be liable for loss or damage to prohibited items in any event or for your acts or omissions, recipient or anyone else with an interest in the package. See the applicable FedEx Service Guide for complete terms and conditions. To obtain information regarding how to file a claim or to obtain a Service Guide, please call 1-800-GO-FEDEX (1-800-463-3339).