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|  | **PENNSYLVANIA****PUBLIC UTILITY COMMISSION**Harrisburg, PA 17105-3265 |  |

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|  | Public Meeting held April 6, 2017 |
| Commissioners Present: |  |

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| Gladys M. Brown, Chairman, Statement |  |
| Andrew G. Place, Vice Chairman |  |
| John F. Coleman, Jr. |  |
| Robert F. Powelson |  |
| David W. Sweet |  |
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| Energy Efficiency and Conservation Program | M-2012-2289411  |

**COMPLIANCE ORDER**

**BY THE COMMISSION:**

The Commission has been charged by the Pennsylvania General Assembly (General Assembly) with establishing an energy efficiency and conservation program (EE&C Program). The EE&C Program requires each electric distribution company (EDC) with at least 100,000 customers to adopt a plan to reduce energy demand and consumption within its service territory.[[1]](#footnote-1) 66 Pa. C.S. § 2806.1. On August 2, 2012, the Commission adopted an Implementation Order at Docket No. M-2012-2289411 establishing the standards each plan must meet and providing guidance on the procedures to be followed for submittal, review and approval of all aspects of the EDCs’ Energy Efficiency and Conservation plans (EE&C plans). *See Energy Efficiency and Conservation Program*, Implementation Order at Docket No. M‑2012‑2289411, entered August 3, 2012 (*Phase II Implementation Order*).

The Commission was also charged with the responsibility to evaluate the costs and benefits of the Energy Efficiency and Conservation (EE&C) Program by November 30, 2013, and every five years thereafter. 66 Pa. C.S. § 2806.1(c)(3). The Commission must adopt additional incremental reductions in consumption if the benefits of the EE&C Program exceed its costs. *Id*. With the Phase II Implementation Order, the Commission adopted additional incremental reductions in consumption that each EDC was required to meet by May 31, 2016.

 Beginning five years following the effective date of the Act, and annually thereafter, the Commission is required to submit a report to the Consumer Protection and Professional Licensure Committee of the Senate and the Consumer Affairs Committee of the House of Representatives. 66 Pa. C.S. § 2806.1(i)(2). The Commission believes the intent of this report is to provide information regarding the programs offered by the EDCs, an overview of the Commission’s Statewide Evaluator’s (SWE) activities,[[2]](#footnote-2) and information regarding EDCs’ compliance with the mandates. To meet this requirement, the Commission directed the SWE to provide a comprehensive Phase II Final Annual Report, to be filed in lieu of a program year 7 (PY7) annual report. In addition to outlining its audit activities and findings for PY7, the SWE was to review the EDCs’ PY7 Final Annual Reports[[3]](#footnote-3) and its own auditing information to determine whether or not the consumption reductions reported by the EDCs were accurate. With this Order, the Commission releases the SWE’s Phase II Final Annual Report.

 The Commission must also determine whether the EDCs are in compliance with the targets adopted by the Commission in the *Phase II Implementation Orde*r in accordance with 66 Pa. C.S. §§ 2806.1(b), (c) and (d).[[4]](#footnote-4) With this Order, the Commission assesses the EDCs’ compliance with these targets. Specifically, the Commission initially determines that Duquesne Light Company (Duquesne), Metropolitan Edison Company (Met-Ed), PECO Energy Company (PECO), Pennsylvania Electric Company (Penelec), Pennsylvania Power Company (Penn Power), PPL Electric Utilities (PPL), and West Penn Power Company (West Penn) are in compliance with the May 31, 2016 electric consumption reduction requirements as outlined in the table below:[[5]](#footnote-5)

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| --- | --- | --- | --- |
| EDC | Three-Year Program Acquisition Cost (S/MWh) | Three-Year % of 2009/10Forecast Reductions | Three-Year MWh Value of 2009/10 Forecast Reductions |
| Duquesne | $211.90 | 2.0 | 276,722 |
| Met-Ed | $220.87 | 2.3 | 337,753 |
| Penelec | $216.19 | 2.2 | 318,813 |
| Penn Power | $209.20 | 2.0 | 95,502 |
| PPL | $224.71 | 2.1 | 821,072 |
| PECO | $227.55 | 2.9 | 1,125,851 |
| West Penn | $209.42 | 1.6 | 337,533 |

 Furthermore, the Commission initially determines that Duquesne, Met-Ed, PECO, Penelec, Penn Power, PPL and West Penn were in compliance with the May 31, 2016 requirement to obtain a minimum of ten percent (10%) of all consumption reduction requirements from government/educational/nonprofit institutions.[[6]](#footnote-6) Finally, the Commission initially determines that Duquesne, Met-Ed, PECO, Penelec, Penn Power, PPL and West Penn were in compliance with the May 31, 2016 requirement to obtain a minimum of four‑and‑one‑half percent (4.5%) of their total consumption reduction requirements from the low-income sector, as well as, the requirement to include specific energy efficiency measures for households at or below 150% of the Federal poverty income guidelines in proportion to those households’ share of the total energy usage in the EDCs’ service territories.[[7]](#footnote-7)

# BACKGROUND AND HISTORY OF THIS PROCEEDING

 Act 129 of 2008 (the Act or Act 129) was signed into law on October 15, 2008, and became effective on November 14, 2008. Among other things, the Act created an EE&C Program, codified in the Pennsylvania Public Utility Code at Sections 2806.1 and 2806.2, 66 Pa. C.S. §§ 2806.1 and 2806.2. This initial program required an EDC with at least 100,000 customers to adopt an EE&C plan, approved by the Commission, to reduce electric consumption by May 31, 2011 and May 31, 2013. *See*, 66 Pa. C.S. § 2806.1(c). Also, by May 31, 2013, peak demand was to be reduced by a minimum of 4.5% of the EDCs’ annual system peak demand in the 100 hours of highest demand. *See*, 66 Pa. C.S. § 2806.1(d).

The Act requires the Commission to evaluate the costs and benefits of the EE&C Program and of the approved EE&C plans by November 30, 2013, and at least every five years thereafter. This evaluation is to be consistent with the total resource cost (TRC) test or a cost-benefit analysis determined by the Commission. As stated in the Act, “[i]f the Commission determines that the benefits of the Program exceed the costs, the Commission shall adopt additional required incremental reductions in consumption” to be met by the large EDCs. *See* 66 Pa. C.S. §2806.1(c)(3). Also, the Commission interpreted subsection 2806.1(d)(2) of Act 129, 66 Pa. C.S. §2806.1(d)(2), as requiring the Commission to prescribe specific peak demand reduction targets for subsequent phases of Act 129, if the demand response program is proven to be cost-effective.

The Statewide Evaluator (SWE) conducted Pennsylvania specific residential, commercial and industrial baseline saturation studies and prepared a Market Potential Study for the Commission that recommended EDC-specific energy efficiency reduction targets. For Phase II, the Commission established a three-year length of program. The primary reason was to give the Commission time to evaluate the current and potential future peak demand reduction program design and assess the potential for demand response savings in a potential Phase III EE&C program. The Commission adopted the SWE recommended EDC‑specific consumption reduction requirements for Phase II. Because the Commission did not receive information on the cost-effectiveness of the EDC’s Phase I demand response programs until the end of 2012, the Commission could not definitively determine if the Phase I or another peak demand reduction program design was cost-effective. As such, the Commission did not to set any peak demand reduction targets for the Phase II EE&C program period.[[8]](#footnote-8)

If an EDC fails to achieve these reductions in electric consumption or in peak demand, that EDC shall be subject to a civil penalty of not less than $1,000,000 and not greater than $20,000,000. Such penalties may not be recovered from ratepayers. *See*, 66 Pa. C.S. § 2806.1(f)(2).

Act 129 also required the EDCs to file with the Commission annual reports relating to the results of their EE&C Plans for that program year. 66 Pa. C.S. § 2806.1(i)(1). These reports were to document the effectiveness of the EDCs’ EE&C plans, the measurement and verification of energy savings, the evaluation of the cost‑effectiveness of expenditures and any other information required by the Commission. For Phase II, EDCs were to submit two Act 129 annual reports per program year. The first annual report, due July 15, was to be a preliminary report providing each EDC’s reported savings for its EE&C portfolio for that program year. The second annual report, due November 15, was to be a final annual report providing verified savings for the EDC’s EE&C portfolio for that program year, the cost-effectiveness evaluation (TRC test), the process evaluation, as well as items required by Act 129 and Commission Orders. In addition to the annual reports, the EDCs are to file quarterly reports for the first three quarters of each reporting year, due 45 calendar days from the end of the respective quarter; fourth quarter reporting information is to be included in the preliminary annual report.[[9]](#footnote-9)

 Additionally, the SWE is required to provide annual reports which provide the results of its independent evaluations of the EDCs’ programs. The SWE’s PY7 annual report provides an overview of the entirety of Phase II. This Phase II Final Annual Report provides the SWE’s analysis of whether or not it agrees with the EDCs’ reported compliance consumption reduction and peak demand reduction information. This report will also provide the Commission with a report to submit to the Consumer Protection and Professional Licensure Committee of the Senate and the Consumer Affairs Committee of the House of Representatives in accordance with Section 2806.1(i)(2) of the Act, 66 Pa. C.S. § 2806.1(i)(2).

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# DISCUSSION

**A. Compliance**

 The Commission has reviewed the results provided by all of the EDCs’ in their Final Annual Reports and the SWE’s Phase II Final Annual Report. Based on this review, we have outlined below our initial determinations of EDC compliance with the energy consumption reduction targets. We have also outlined the EDCs’ performance with regard to their government/educational/non-profit and low-income EE&C Plan requirements. The compliance determinations outlined below are initial determinations that will become final unless a Petition is filed in accordance with 52 Pa. Code § 5.41 challenging the initial determination for a particular EDC within 20 days of the entry of this Order.

**1. May 31, 2016 - Electric Consumption Reduction Requirement** As outlined in the previous table, the three-year electric consumption reduction requirements varied by EDC and were based on a specific mix of program potential, acquisition costs and funding availability under the 2% of revenue annual spending cap. In addition, the Commission allowed EDCs that achieved their Phase I three percent target before the end of Phase I to continue their programs and credit all of those savings above the three percent reduction target towards Phase II reduction targets. In other words, the Commission allowed the EDCs to “carry over” into Phase II the Phase I verified energy savings that exceeded the Phase I compliance target. The Commission’s determination of compliance with the May 31, 2016, portfolio‑level electric consumption reduction requirement for each EDC follows.

 **a. Duquesne**

 Duquesne was required to reduce, by May 31, 2016, electric consumption in its service territory by 276,722 megawatt-hours (MWh).[[10]](#footnote-10) Duquesne reports, in its PY7 Final Annual Report, that when using the savings methodologies outlined in the Technical Reference Manual (TRM),[[11]](#footnote-11) it attained a reduction of 510,965 MWh in electric consumption as of May 31, 2016, including carryover savings from Phase I.[[12]](#footnote-12) In its Phase II Final Annual Report, the SWE validates Duquesne’s reported TRM-verified savings of 510,965 MWh and notes that this amounts to 185% of Duquesne’s electric consumption reduction requirement.[[13]](#footnote-13) The Commission agrees with the TRM-verified savings reported by Duquesne and confirmed by the SWE and initially deems Duquesne to be in compliance with the May 31, 2016, electric consumption reduction requirement.

 **b. Met-Ed**

 Met-Ed was required to reduce, by May 31, 2016, electric consumption in its service territory by 337,753 MWh.[[14]](#footnote-14) Met-Ed reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 415,422 MWh in electric consumption as of May 31, 2016, including carryover savings from Phase I.[[15]](#footnote-15) In its Phase II Final Annual Report, the SWE validates Met-Ed’s reported TRM-verified savings of 415,422 MWh and notes that this amounts to 123% of Met-Ed’s electric consumption reduction requirement.[[16]](#footnote-16) The Commission agrees with the TRM-verified savings reported by Met-Ed and confirmed by the SWE and initially deems Met-Ed to be in compliance with the May 31, 2016, electric consumption reduction requirement.

 **c. PECO**

 PECO was required to reduce, by May 31, 2016, electric consumption in its service territory by 1,125,851 MWh.[[17]](#footnote-17) PECO reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 1,333,298 MWh in electric consumption as of May 31,2016, including carryover savings from Phase I.[[18]](#footnote-18) In its Phase II Final Annual Report, the SWE validates PECO’s reported TRM-verified savings of 1,333,298 MWh and notes that this amounts to 118% of PECO’s electric consumption reduction requirement.[[19]](#footnote-19) The Commission agrees with the TRM-verified savings reported by PECO and confirmed by the SWE and initially deems PECO to be in compliance with the May 31, 2016, electric consumption reduction requirement.

 **d. Penelec**

 Penelec was required to reduce, by May 31, 2016, electric consumption in its service territory by 318,813 MWh.[[20]](#footnote-20) Penelec reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 395,313 MWh in electric consumption as of May 31, 2016, including carryover savings from Phase I.[[21]](#footnote-21) In its Phase II Final Annual Report, the SWE validates Penelec’s reported TRM-verified savings of 395,313 MWh and notes that this amounts to 124% of Penelec’s electric consumption reduction requirement.[[22]](#footnote-22) The Commission agrees with the TRM-verified savings reported by Penelec and confirmed by the SWE and initially deems Penelec to be in compliance with the May 31, 2016, electric consumption reduction requirement.

 **e. Penn Power**

 Penn Power was required to reduce, by May 31, 2016, electric consumption in its service territory by 95,502 MWh.[[23]](#footnote-23) Penn Power reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 131,948 MWh, in electric consumption as of May 31, 2016, including carryover savings from Phase I.[[24]](#footnote-24) In its Phase II Final Annual Report, the SWE validates with Penn Power’s reported TRM-verified savings of 131,948 MWh and notes that this amounts to 138% of Penn Power’s electric consumption reduction requirement.[[25]](#footnote-25) The Commission agrees with the TRM-verified savings reported by Penn Power and confirmed by the SWE and initially deems Penn Power to be in compliance with the May 31, 2016, electric consumption reduction requirement.

 **f. PPL**

 PPL was required to reduce, by May 31, 2016, electric consumption in its service territory by 821,072 MWh.[[26]](#footnote-26) PPL reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 1,194,372 MWh in electric consumption as of May 31, 2016, including carryover savings from Phase I.[[27]](#footnote-27) In its Phase II Final Annual Report, the SWE validates PPL’s reported TRM-verified savings of 1,194,372 MWh and notes that this amounts to 146% of PPL’s electric consumption reduction requirement.[[28]](#footnote-28) The Commission agrees with the TRM-verified savings reported by PPL and confirmed by the SWE and initially deems PPL to be in compliance with the May 31, 2016, electric consumption reduction requirement.

 **g. West Penn**

 West Penn was required to reduce, by May 31, 2016, electric consumption in its service territory by 337,533 MWh.[[29]](#footnote-29) West Penn reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 418,002 MWh in electric consumption as of May 31, 2016, including carryover savings from Phase I.[[30]](#footnote-30) In its Phase II Final Annual Report, the SWE validates West Penn’s reported TRM-verified savings of 418,002 MWh and notes that this amounts to 124% of West Penn’s electric consumption reduction requirement.[[31]](#footnote-31) The Commission agrees with the TRM-verified savings reported by West Penn and confirmed by the SWE and initially deems West Penn to be in compliance with the May 31, 2016, electric consumption reduction requirement.

**2. Government/Educational/Non-Profit Carve-Out**

For Phase I, Act 129 required the EDCs submit EE&C Plans that provide a minimum of 10% of the required reductions in consumption and peak demand be obtained from units of Federal, State and local government, including municipalities, school districts, institutions of higher education and nonprofit entities (G/E/NP). 66 Pa. C.S. § 2806.1(b)(1)(i)(B). For Phase II, the Commission again required the EDCs to obtain a minimum of 10% of all consumption reduction requirements from the federal, state and local governments, including municipalities, school districts, institutions of higher education and nonprofit entities.[[32]](#footnote-32) The Commission’s initial determination of compliance with the G/E/NP consumption reduction carve-out for each EDC follows.

 **a. Duquesne**

 Duquesne was required to obtain 27,672 MWh of its total electric consumption reduction from the G/E/NP sector in its service territory.[[33]](#footnote-33) Duquesne reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 29,857 MWh from the G/E/NP sector, including carryover savings from Phase I.[[34]](#footnote-34) In its Phase II Final Annual Report; the SWE validates Duquesne’s reported TRM-verified savings of 29,857 MWh and notes that this amounts to 108% of Duquesne’s G/E/NP consumption reduction requirement.[[35]](#footnote-35) The Commission agrees with the TRM-verified savings from the G/E/NP sector reported by Duquesne and confirmed by the SWE and initially deems Duquesne to be in compliance with the G/E/NP consumption reduction requirement.

 **b. Met-Ed**

 Met-Ed was required to obtain 33,775 MWh of its total electric consumption reduction from the G/E/NP sector in its service territory.[[36]](#footnote-36) Met-Ed reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 40,087 MWh from the G/E/NP sector, including carryover savings from Phase I.[[37]](#footnote-37) In its Phase II Final Annual Report; the SWE validates Met-Ed’s reported TRM-verified savings of 40,087 MWh and notes that this amounts to 119% of Met-Ed’s G/E/NP consumption reduction requirement.[[38]](#footnote-38) The Commission agrees with the TRM-verified savings from the G/E/NP sector reported by Met-Ed and confirmed by the SWE and initially deems Met-Ed to be in compliance with the G/E/NP consumption reduction requirement.

 **c. PECO**

 PECO was required to obtain 112,585 MWh of its total electric consumption reduction from the G/E/NP sector in its service territory.[[39]](#footnote-39) PECO reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 305,946 MWh from the G/E/NP sector, including carryover savings from Phase I.[[40]](#footnote-40) In its Phase II Final Annual Report; the SWE validates PECO’s reported TRM-verified savings of 305,946 MWh and notes that this amounts to 272% of PECO’s G/E/NP consumption reduction requirement.[[41]](#footnote-41) The Commission agrees with the TRM-verified savings from the G/E/NP sector reported by PECO and confirmed by the SWE and initially deems PECO to be in compliance with the G/E/NP consumption reduction requirement.

 **d. Penelec**

 Penelec was required to obtain 31,881 MWh of its total electric consumption reduction from the G/E/NP sector in its service territory.[[42]](#footnote-42) Penelec reports, in its PY7 Final Annual Report, it attained a TRM-verified savings value of 42,685 MWh from the G/E/NP sector, including carryover savings from Phase I.[[43]](#footnote-43) In its Phase II Final Annual Report, the SWE validates Penelec’s reported TRM-verified savings of 42,685 MWh and notes that this amounts to 134% of Penelec’s G/E/NP consumption reduction requirement.[[44]](#footnote-44) The Commission agrees with the TRM-verified savings from the G/E/NP sector reported by Penelec and confirmed by the SWE and initially deems Penelec to be in compliance with the G/E/NP consumption reduction requirement.

 **e. Penn Power**

 Penn Power was required to obtain 9,550 MWh of its total electric consumption reduction form the G/E/NP sector in its service territory.[[45]](#footnote-45) Penn Power reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 17,124 MWh from the G/E/NP sector, including carryover savings from Phase I.[[46]](#footnote-46) In its Phase II Final Annual Report, the SWE validates Penn Power’s reported TRM-verified savings of 17,124 MWh and notes that this amounts to 179% of Penn Power’s G/E/NP consumption reduction requirement.[[47]](#footnote-47) The Commission agrees with the TRM-verified savings from the G/E/NP sector reported by Penn Power and confirmed by the SWE and initially deems Penn Power to be in compliance with the G/E/NP consumption reduction requirement.

 **f. PPL**

 PPL was required to obtain 82,107 MWh of its total electric consumption reduction from the G/E/NP sector in its service territory.[[48]](#footnote-48) PPL reports, in its PY7 Final Annual Report, it attained a TRM-verified savings value of 185,391 MWh from the G/E/NP sector, including carryover savings from Phase I.[[49]](#footnote-49) In its Phase II Final Annual Report, the SWE validates PPL’s reported TRM-verified savings of 185,391 MWh and notes that this amounts to 226% of PPL’s G/E/NP consumption reduction requirement.[[50]](#footnote-50) The Commission agrees with the TRM-verified savings from the G/E/NP sector reported by PPL and confirmed by the SWE and initially deems PPL to be in compliance with the G/E/NP consumption reduction requirement.

 **g. West Penn**

 West Penn was required to obtain 33,753 MWh of its total electric consumption reduction form the G/E/NP sector in its service territory.[[51]](#footnote-51) West Penn reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 93,655 MWh from the G/E/NP sector.[[52]](#footnote-52) In its Phase II Final Annual Report, the SWE validates West Penn’s reported TRM-verified savings of 93,655 MWh and notes that this amounts to 277% of West Penn’s G/E/NP consumption reduction requirement.[[53]](#footnote-53) The Commission agrees with the TRM-verified savings from the G/E/NP sector reported by West Penn and confirmed by the SWE and initially deems West Penn to be in compliance with the G/E/NP consumption reduction requirement.

 **4. Low-Income Carve-Out – Number of Measures**

Act 129 proscribed that, in Phase I, each EDC EE&C Plan must include specific energy efficiency measures for households at or below 150% of the federal poverty income guidelines (FPIG), in proportion to that sector’s share of the total energy usage in the EDC’s service territory. *See* 66 Pa. C.S. § 2806.1(b)(1)(i)(G). For Phase II, the Commission continues this prescription.[[54]](#footnote-54) The Commission’s tentative determination of compliance with the low-income measure proportion requirement for each EDC follows.

 **a. Duquesne**

Duquesne was required to offer 8.402% of its measures to the low-income sector.[[55]](#footnote-55) Duquesne reports, in its PY7 Final Annual Report, that out of 97 measures offered across all sectors, 14 were offered to low-income customers. Duquesne states that this represented 14% of its measures.[[56]](#footnote-56) In its Phase II Final Annual Report, the SWE validates Duquesne’s reported proportion of measures offered to low-income customers.[[57]](#footnote-57) The Commission agrees with the proportion of low-income offerings reported by Duquesne and confirmed by the SWE and initially deems Duquesne to be in compliance with the low-income measure proportion requirement.

**b. Met-Ed**

 Met-Ed was required to offer 8.787% of its measures to the low-income sector.[[58]](#footnote-58) Met-Ed reports, in its PY7 Final Annual Report, that out of 40 measures offered across all sectors, six were offered to low-income customers. Met-Ed states that this represented 15% of its measures.[[59]](#footnote-59) In its Phase II Final Annual Report, the SWE validates Met-Ed’s reported proportion of measures offered to low-income customers.[[60]](#footnote-60) The Commission agrees with the proportion of low-income offerings reported by Met-Ed and confirmed by the SWE and initially deems Met-Ed to be in compliance with the low-income measure proportion requirement.

 **c. PECO**

 PECO was required to offer 8.799% of its measures to the low-income sector.[[61]](#footnote-61) PECO reports, in its PY7 Final Annual Report, that out of 112 measures offered across all sectors, 19 were offered to low-income customers. PECO states that this represented 17% of its measures.[[62]](#footnote-62) In its Phase II Final Annual Report, the SWE validates PECO’s reported proportion of measures offered to low-income customers.[[63]](#footnote-63) The Commission agrees with the proportion of low-income offerings reported by PECO and confirmed by the SWE and initially deems PECO to be in compliance with the low-income measure proportion requirement.

 **d. Penelec**

 Penelec was required to offer 10.231% of its measures to the low-income sector.[[64]](#footnote-64) Penelec reports, in its PY7 Final Annual Report, that out of 40 measures offered across all sectors, six were offered to low-income customers. Penelec states that this represented 15% of its measures.[[65]](#footnote-65) In its Phase II Final Annual Report, the SWE validates Penelec’s reported proportion of measures offered to low-income customers.[[66]](#footnote-66) The Commission agrees with the proportion of low-income offerings reported by Penelec and confirmed by the SWE and initially deems Penelec to be in compliance with the low-income measure proportion requirement.

 **e. Penn Power**

Penn Power was required to offer 10.639% of its measures to the low-income sector.[[67]](#footnote-67) Penn Power reports, in its PY7 Final Annual Report, that out of 40 measures offered across all sectors, six were offered to low-income customers. Penn Power states that this represented 15% of its measures.[[68]](#footnote-68) In its Phase II Final Annual Report, the SWE validates Penn Power’s reported proportion of measures offered to low-income customers.[[69]](#footnote-69) The Commission agrees with the proportion of low-income offerings reported by Penn Power and confirmed by the SWE and initially deems Penn Power to be in compliance with the low-income measure proportion requirement.

 **f. PPL**

 PPL was required to offer 9.950% of its measures to the low-income sector.[[70]](#footnote-70) PPL reports, in its PY7 Final Annual Report, that out of 134 measures offered across all sectors, 62 were offered to low-income customers. PPL states that this represented 46% of its measures.[[71]](#footnote-71) In its Phase II Final Annual Report, the SWE validates PPL’s reported proportion of measures offered to low-income customers.[[72]](#footnote-72) The Commission agrees with the proportion of low-income offerings reported by PPL and confirmed by the SWE and initially deems PPL to be in compliance with the low-income measure proportion requirement.

 **g. West Penn**

 West Penn was required to offer 8.794% of its measures to the low-income sector.[[73]](#footnote-73) West Penn reports, in its PY7 Final Annual Report, that out of 40 measures offered across all sectors, six were offered to low-income customers. West Penn states that this represented 15% of its measures.[[74]](#footnote-74) In its Phase II Final Annual Report, the SWE validates West Penn’s reported proportion of measures offered to low-income customers.[[75]](#footnote-75) The Commission agrees with the proportion of low-income offerings reported by West Penn and confirmed by the SWE and initially deems West Penn to be in compliance with the low-income measure proportion requirement.

**5. Low-Income Carve-Out – Consumption Reduction Requirement**

 In addition to the low‑income number of measures requirement, the Commission requires that each EDC obtains a minimum of four-and-a-half percent (4.5%) of its consumption reduction requirements from the low-income sector.[[76]](#footnote-76) The Commission’s initial determination of compliance with the low‑income consumption reduction carve-out for each EDC follows.

 **a. Duquesne**

 Duquesne was required to obtain 12,452 MWh of its total electric consumption reduction from the low‑income sector in its service territory.[[77]](#footnote-77) Duquesne reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 23,173 MWh from the low‑income sector.[[78]](#footnote-78) In its Phase II Final Annual Report, the SWE validates Duquesne’s reported TRM-verified savings of 23,173 MWh and notes that this amounts to 186% of Duquesne’s low‑income consumption reduction requirement.[[79]](#footnote-79) The Commission agrees with the TRM-verified savings from the low‑income sector reported by Duquesne and confirmed by the SWE and initially deems Duquesne to be in compliance with the low‑income consumption reduction requirement.

 **b. Met-Ed**

 Met-Ed was required to obtain 15,199 MWh of its total electric consumption reduction from the low‑income sector in its service territory.[[80]](#footnote-80) Met-Ed reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 45,839 MWh from the low‑income sector.[[81]](#footnote-81) In its Phase II Final Annual Report, the SWE validates Met-Ed’s reported TRM-verified savings of 45,839 MWh and notes that this amounts to 302% of Met-Ed’s low‑income consumption reduction requirement.[[82]](#footnote-82) The Commission agrees with the TRM-verified savings from the low‑income sector reported by Met-Ed and confirmed by the SWE and initially deems Met-Ed to be in compliance with the low‑income consumption reduction requirement.

 **c. PECO**

 PECO was required to obtain 50,663 MWh of its total electric consumption reduction from the low‑income sector in its service territory.[[83]](#footnote-83) PECO reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 91,673 MWh from the low‑income sector.[[84]](#footnote-84) In its Phase II Final Annual Report, the SWE validates PECO’s reported TRM-verified savings of 91,673 MWh and notes that this amounts to 181% of PECO’s low‑income consumption reduction requirement.[[85]](#footnote-85) The Commission agrees with the TRM-verified savings from the low‑income sector reported by PECO and confirmed by the SWE and initially deems PECO to be in compliance with the low‑income consumption reduction requirement.

 **d. Penelec**

 Penelec was required to obtain 14,347 MWh of its total electric consumption reduction from the low‑income sector in its service territory.[[86]](#footnote-86) Penelec reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 55,255 MWh from the low‑income sector.[[87]](#footnote-87) In its Phase II Final Annual Report, the SWE validates Penelec’s reported TRM-verified savings of 55,255 MWh and notes that this amounts to 385% of Penelec’s low‑income consumption reduction requirement.[[88]](#footnote-88) The Commission agrees with the TRM-verified savings from the low‑income sector reported by Penelec and confirmed by the SWE and initially deems Penelec to be in compliance with the low‑income consumption reduction requirement.

 **e. Penn Power**

 Penn Power was required to obtain 4,298 MWh of its total electric consumption reduction from the low‑income sector in its service territory.[[89]](#footnote-89) Penn Power reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 12,713 MWh from the low‑income sector.[[90]](#footnote-90) In its Phase II Final Annual Report, the SWE validates Penn Power’s reported TRM-verified savings of 12,713 MWh and notes that this amounts to 296% of Penn Power’s low‑income consumption reduction requirement.[[91]](#footnote-91) The Commission agrees with the TRM-verified savings from the low‑income sector reported by Penn Power and confirmed by the SWE and initially deems Penn Power to be in compliance with the low‑income consumption reduction requirement.

 **f. PPL**

 PPL was required to obtain 36,948 MWh of its total electric consumption reduction from the low‑income sector in its service territory.[[92]](#footnote-92) PPL reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 58,703 MWh from the low‑income sector.[[93]](#footnote-93) In its Phase II Final Annual Report, the SWE validates PPL’s reported TRM-verified savings of 58,703 MWh and notes that this amounts to 159% of PPL’s low‑income consumption reduction requirement.[[94]](#footnote-94) The Commission agrees with the TRM-verified savings from the low‑income sector reported by PPL and confirmed by the SWE and initially deems PPL to be in compliance with the low‑income consumption reduction requirement.

 **g. West Penn**

 West Penn was required to obtain 15,189 MWh of its total electric consumption reduction from the low‑income sector in its service territory.[[95]](#footnote-95) West Penn reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 37,513 MWh from the low‑income sector.[[96]](#footnote-96) In its Phase II Final Annual Report, the SWE validates West Penn’s reported TRM-verified savings of 37,513 MWh and notes that this amounts to 247% of West Penn’s low‑income consumption reduction requirement.[[97]](#footnote-97) The Commission agrees with the TRM-verified savings from the low‑income sector reported by West Penn and confirmed by the SWE and initially deems West Penn to be in compliance with the low‑income consumption reduction requirement.

 **5. Challenges To The Phase II Results**

 If any party desires to contest the facts the Commission relied upon in making its determinations of compliance contained herein, they have 20 days, from the date this order is entered, to file a petition in accordance with Section 5.41 of the Commission’s Regulations, 52 Pa. Code § 5.41. Such petitions are to reference Docket Nos. M‑2012‑2289411 and the applicable EDC EE&C plan Phase II Docket. The party contesting the Commission’s initial compliance determination shall have the burden of proof in accordance with 66 Pa. C.S. §§ 315 and 332(a). If no parties file a petition within 20 days of the date this order is entered, the Commission’s initial compliance determinations for each EDC will be considered final.

**B. Accumulated Savings In Excess Of Reduction Requirements**

 In its *Phase II Implementation Order*, the Commission recognized the importance of the continued implementation of cost-effective Phase I programs until the beginning of Phase II.[[98]](#footnote-98) However, in its *Phase III Implementation Order*, the Commission expressed concerns that continued carryover of all excess savings from phase to phase will lead to a scenario in which an EDC meets most, if not all, of its reduction target simply with carryover savings. Therefore, EDCs are allowed to bank only those savings attained in Phase II that are in excess of their Phase II targets for application towards Phase III targets.[[99]](#footnote-99)

 **1. Carryover And Excess Savings**

The EDCs, in their PY7 Final Annual Reports, have provided the amount of carryover and excess savings resulting from the Phase II EE&C Program. The Commission’s initial determination regarding the accuracy of these values for each EDC follows.

 **a. Duquesne**

 In its PY7 Final Annual Report, Duquesne reports it attained portfolio‑level Technical Reference Manual‑verified (TRM‑verified) electric consumption carryover savings of 100,526 MWh and low‑income reduction requirement excess savings of 3,431 MWh; however, it was not able to attain excess savings from the G/E/NP reduction requirement.[[100]](#footnote-100) In its Phase II Final Annual Report, the SWE validates Duquesne’s portfolio‑level electric consumption carryover savings of 100,526 MWh; and that Duquesne is not able to carry over G/E/NP reduction requirement excess savings.[[101]](#footnote-101) The SWE was not able to verify the low‑income reduction requirement excess savings of 3,431 MWh. The SWE notes, low‑income excess savings for Phase III are based on an allocation factor determined by the ratio of savings from low‑income specific programs to non-low‑income specific programs; therefore, Duquesne’s verified low‑income reduction requirement excess savings total decreased from 3,431 MWh to 2,542 MWh.[[102]](#footnote-102) The Commission agrees with the SWE verified and adjusted low‑income reduction requirement excess savings and initially accepts an excess savings total of 2,542 MWh to be credited against Duquesne’s Phase III low‑income reduction requirements. Furthermore, the Commission agrees with the TRM-verified carryover savings reported by Duquesne, confirmed by the SWE, and initially accepts a portfolio‑level carryover total of 100,526 MWh to be credited against Duquesne’s Phase III portfolio‑level electric consumption reduction requirements.

 **b. Met-Ed**

 In its PY7 Final Annual Report, Met-Ed reports it attained the portfolio‑level TRM-verified electric consumption carryover savings amount of 30,482 MWh and low‑income reduction requirement excess savings of 5,025 MWh; however, it was not able to attain excess savings from the G/E/NP reduction requirement.[[103]](#footnote-103) In its Phase II Final Annual Report, the SWE validates Met-Ed’s portfolio‑level carryover of electric consumption in the amount of 30,482 MWh and low‑income reduction requirement excess savings of 5,025 MWh; and that Met‑Ed is not able to carry over G/E/NP reduction requirement excess savings.[[104]](#footnote-104) The Commission agrees with the TRM-verified carryover and excess savings reported by Met-Ed, confirmed by the SWE, and initially accepts a portfolio‑level carryover total of 30,482 MWh to be credited against Met-Ed’s Phase III portfolio‑level electric consumption reduction requirements and an excess savings total of 5,025 MWh to be credited against Met-Ed’s Phase III low‑income reduction requirements.

 **c. PECO**

 In its PY7 Final Annual Report, PECO reports it is not eligible to carryover portfolio‑level TRM-verified electric consumption savings; however, it attained G/E/NP reduction requirement excess savings of 115,400 MWh and low‑income reduction requirement excess savings of 3,729 MWh.[[105]](#footnote-105) In its Phase II Final Annual Report, the SWE validates that PECO is not eligible to carryover portfolio‑level savings towards its Phase III portfolio‑level electric consumption reduction requirement, but is eligible to carryover G/E/NP reduction requirement excess savings of 115,400 MWh.[[106]](#footnote-106) However, the SWE has calculated TRM‑verified low‑income reduction requirement excess savings that are significantly different than PECO’s verified total of 3,729 MWh. The SWE notes, that low‑income excess savings for Phase III are based on an allocation factor determined by the ratio of savings from low‑income specific programs to non-low‑income specific programs; therefore, PECO’s low‑income reduction requirement excess savings total amount increased from 3,729 MWh to 24,332 MWh.[[107]](#footnote-107)

The Commission commends PECO for its efforts to obtain savings in excess of its carve-outs for low‑income and G/E/NP customers. However, as PECO did not obtain portfolio‑level TRM‑verified electric consumption savings in excess of its portfolio‑level requirements, PECO cannot carryover the low‑income or G/E/NP excess savings. Both the low‑income and G/E/NP savings are a carve-out or subset of the whole, accordingly, to allow a carryover for these carve-outs into Phase III, would, in essence, permit a carryover for the total Phase III consumption reduction requirement. As PECO did not obtain Phase II savings in excess of its Phase II consumption reduction requirement, it is not entitled to any carryover savings into Phase III. As such, the Commission initially will deny PECO any carryover savings to be credited against its Phase III consumption reduction requirements.

 **d. Penelec**

 In its PY7 Final Annual Report, Penelec reports it attained the portfolio‑level TRM-verified electric consumption carryover savings amount of 49,695 MWh, G/E/NP reduction requirement excess savings of 83 MWh, and low‑income reduction requirement excess savings of 7,872 MWh.[[108]](#footnote-108) In its Phase II Final Annual Report, the SWE validates Penelec’s portfolio‑level electric consumption carryover of 49,695 MWh, G/E/NP reduction requirement excess savings of 83 MWh, and low‑income reduction requirement excess savings of 7,872 MWh.[[109]](#footnote-109) The Commission agrees with the portfolio‑level TRM-verified carryover savings reported by Penelec and confirmed by the SWE and initially accepts a portfolio‑level carryover total of 49,695 MWh to be credited against Penelec’s Phase III portfolio‑level electric consumption reduction requirements, an excess savings total of 83 MWh to be credited against Penelec’s Phase III G/E/NP reduction requirements, and an excess savings total of 7,872 MWh to be credited against Penelec’s Phase III low‑income reduction requirements.

 **e. Penn Power**

 In its PY7 Final Annual Report, Penn Power reports it attained the portfolio‑level TRM-verified electric consumption carryover savings amount of 13,866 MWh, G/E/NP reduction requirement excess savings of 7,316 MWh, and low‑income reduction requirement excess savings of 1,805 MWh.[[110]](#footnote-110) In its Phase II Final Annual Report, the SWE validates Penn Power’s portfolio‑level electric consumption carryover of 13,866 MWh, G/E/NP reduction requirement excess savings 7,316 MWh, and low‑income reduction requirement excess savings of 1,805 MWh.[[111]](#footnote-111) The Commission agrees with the TRM-verified carryover savings reported by Penn Power and confirmed by the SWE and initially accepts a portfolio‑level carryover total of 13,866 MWh to be credited against Penn Power’s Phase III portfolio‑level electric consumption reduction requirements, an excess savings total of 7,316 MWh to be credited against Penn Power’s Phase III G/E/NP reduction requirements, and an excess savings total of 1,805 MWh to be credited against Penn Power’s Phase III low‑income reduction requirements.

 **f. PPL**

In its PY7 Final Annual Report, PPL reports it is not eligible to carryover portfolio‑level TRM-verified electric consumption savings; however, it reported 11,141 MWh of TRM‑verified G/E/NP reduction requirement excess savings and 10,299 MWh of low‑income reduction requirement excess savings.[[112]](#footnote-112) In its Phase II Final Annual Report, the SWE validates that PPL is not eligible to carryover savings towards its Phase III portfolio‑level electric consumption reduction requirement,[[113]](#footnote-113) but is eligible to carryover 11,141 MWh of G/E/NP reduction requirement excess savings.[[114]](#footnote-114) However, the SWE has calculated TRM‑verified low‑income reduction requirement excess savings that differ from PPL’s total of 10,299 MWh. The SWE notes, that low‑income excess savings for Phase III are based on an allocation factor determined by the ratio of savings from low‑income specific programs to non-low‑income specific programs; therefore, PPL’s low‑income reduction requirement excess savings total amount increased from 10,299 MWh to 10,520 MWh.[[115]](#footnote-115)

The Commission commends PPL for its efforts to obtain savings in excess of its carve-outs for low‑income and G/E/NP customers. However, as PPL did not obtain portfolio‑level TRM‑verified electric consumption savings in excess of its portfolio‑level requirements, PPL cannot carryover the low‑income or G/E/NP carve-out excess savings. Both the low‑income and G/E/NP savings are a carve-out or subset of the whole, accordingly, to allow a carryover for these carve-outs into Phase III, would, in essence, permit a carryover for the total Phase III consumption reduction requirement. As PPL did not obtain Phase II savings in excess of its Phase II consumption reduction requirement, it is not entitled to any carryover savings into Phase III. As such, the Commission initially will deny PPL any carryover savings to be credited against its Phase III consumption reduction requirements.

 **g. West Penn**

 In its PY7 Final Annual Report, West Penn reports it attained the portfolio‑level TRM-verified electric consumption carryover savings amount of 20,540 MWh, and low‑income reduction requirement excess savings of 3,354 MWh; however, it was not able to attain excess savings from the G/E/NP reduction requirement.[[116]](#footnote-116) In its Phase II Final Annual Report, the SWE validates West Penn’s portfolio‑level electric consumption carryover of 20,540 MWh and low‑income reduction requirement excess savings of 3,354 MWh; and that West Penn is not able to carry over G/E/NP reduction requirement excess savings.[[117]](#footnote-117) The Commission agrees with the TRM-verified carryover savings reported by West Penn, confirmed by the SWE, and initially accepts a portfolio‑level carryover total of 20,540 MWh to be credited against West Penn’s Phase III portfolio‑level electric consumption reduction requirements and an excess savings total of 3,354 MWh to be credited against West Penn’s Phase III low‑income reduction requirements.

**2. Phase III Savings**

 As indicated above, the Commission initially accepts each EDC’s megawatt-hour carryover and excess savings total that was confirmed by the SWE as of the SWE’s Phase II Final Annual Report date. The Commission will credit this megawatt-hour amount against each EDC’s Phase III electric consumption reduction requirement. At the end of Phase III, an EDC will have an opportunity to present evidence demonstrating that the Phase II carryover should be higher during a compliance proceeding if necessary.

**CONCLUSION**

With this Order, the Commission releases the Statewide Evaluator’s Phase II Final Annual Report. The Commission also provides its initial determinations regarding EDC compliance with the mandates of Act 129 and regarding the level of accumulated savings from Phase II that may be applied to Phase III consumption reduction requirements; **THEREFORE,**

 **IT IS ORDERED:**

1. That the Statewide Evaluator’s Phase II Final Annual Report be released to the public.

2. That a copy of this Order shall be served upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Commission’s Bureau of Investigation and Enforcement, and the jurisdictional electric distribution companies subject to the Energy Efficiency and Conservation Program requirements.

3. That the Commission initially deems Duquesne Light Company, Metropolitan Edison Company, PECO Energy Company, Pennsylvania Electric Company, Pennsylvania Power Company, PPL Electric Utilities Corporation, and West Penn Power Company are in compliance with the May 31, 2016, electric consumption reduction requirement in Section 2806.1(c)(3) of the Pennsylvania Public Utility Code, 66 Pa. C.S. § 2806.1(c)(3). This initial determination will be deemed final unless a Petition is filed contesting this determination within 20 days of the date this Order is entered. Such petitions shall reference Docket Nos. M-2012-2289411 and the applicable electric distribution company Phase II energy efficiency and conservation plan Docket.

4. That the Commission initially deems Duquesne Light Company, Metropolitan Edison Company, PECO Energy Company, Pennsylvania Electric Company, Pennsylvania Power Company, PPL Electric Utilities Corporation and West Penn Power Company are in compliance with the requirement to obtain a minimum of ten percent of the required reductions in electric consumption from units of Federal, State and local government, including municipalities, school districts, institutions of higher education and nonprofit entities in Section 2806.1(b)(1)(i)(B) of the Pennsylvania Public Utility Code, 66 Pa. C.S. § 2806.1(b)(1)(i)(B). This initial determination will be deemed final unless a Petition is filed contesting this determination within 20 days of the date this Order is entered. Such petitions shall reference Docket Nos. M-2012-2289411 and the applicable electric distribution company Phase II energy efficiency and conservation plan Docket.

5. That the Commission initially deems Duquesne Light Company, Metropolitan Edison Company, PECO Energy Company, Pennsylvania Electric Company, Pennsylvania Power Company, PPL Electric Utilities Corporation and West Penn Power Company are in compliance with the requirement to include specific energy efficiency measures for households at or below 150% of the Federal poverty income guidelines in proportion to those households’ share of the total energy usage in Section 2806.1(b)(1)(i)(G) of the Pennsylvania Public Utility Code, 66 Pa. C.S. § 2806.1(b)(1)(i)(G). This initial determination will be deemed final unless a Petition is filed contesting this determination within 20 days of the date this Order is entered. Such petitions shall reference Docket Nos. M-2012-2289411 and the applicable electric distribution company Phase II energy efficiency and conservation plan Docket.

6. That the Commission initially deems Duquesne Light Company, Metropolitan Edison Company, PECO Energy Company, Pennsylvania Electric Company, Pennsylvania Power Company, PPL Electric Utilities Corporation and West Penn Power Company are in compliance with the requirement to obtain a minimum of four-and-a-half percent (4.5%) of its consumption reduction requirements from households at or below 150% of the Federal poverty income guidelines. This initial determination will be deemed final unless a Petition is filed contesting this determination within 20 days of the date this Order is entered. Such petitions shall reference Docket Nos. M-2012-2289411 and the applicable electric distribution company Phase II energy efficiency and conservation plan Docket.

7. That the verified Phase II carryover and excess savings validated by the Statewide Evaluator in the Phase II Final Annual Report for Duquesne Light Company, Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company, and West Penn Power Company as stated in this Order shall be credited against each electric distribution company’s Phase III electric consumption, G/E/NP, and low‑income reduction requirements.

8. That this Order and the Statewide Evaluator’s Phase II Final Annual Report be published on the Commission’s public website at <http://www.puc.pa.gov/filing_resources/issues_laws_regulations/act_129_information/energy_efficiency_and_conservation_ee_c_program.aspx>.

9. That the contact person for technical issues related to this Order and the Statewide Evaluator’s Phase II Final Annual Report is Joseph M. Sherrick, Bureau of Technical Utility Services, 717-787-5369 or josherrick@pa.gov. The contact person for legal and process issues related to this Order is Kriss Brown, Law Bureau, 717-787-4518 or kribrown@pa.gov.

**BY THE COMMISSION**



Rosemary Chiavetta

Secretary

(SEAL)

ORDER ADOPTED: April 6, 2017

ORDER ENTERED: April 6, 2017

1. The EDCs subject to the EE&C Program provisions are Duquesne Light Company, Metropolitan Edison Company, PECO Energy Company, Pennsylvania Electric Company, Pennsylvania Power Company, PPL Electric Utilities Corporation and West Penn Power Company. [↑](#footnote-ref-1)
2. GDS Associates, *et al*. [↑](#footnote-ref-2)
3. The EDCs’ PY7 Final Annual Reports are available at <http://www.puc.pa.gov/filing_resources/issues_laws_regulations/act_129_information/electric_distribution_company_act_129_reporting_requirements.aspx>. [↑](#footnote-ref-3)
4. Because the Commission did not have information on the cost-effectiveness of the EDC’s Phase I demand response programs at the time of the Phase II Implementation Order, the Commission do not have the information needed to definitively determine if the Phase I or another peak demand reduction program design was cost-effective, at that time. Accordingly, the Commission did not set peak demand reduction targets for the Phase II EE&C program period. *See* *Phase II Implementation Order* at 32‑45. [↑](#footnote-ref-4)
5. *See* *Phase II Implementation Order* at 24‑26. [↑](#footnote-ref-5)
6. *See* *Phase II Implementation Order* at 45‑51. [↑](#footnote-ref-6)
7. *See* *Phase II Implementation Order* at 53‑58. [↑](#footnote-ref-7)
8. *See* *Phase II Implementation Order* at 11‑43. [↑](#footnote-ref-8)
9. *See* *Phase II Implementation Order* at 78. [↑](#footnote-ref-9)
10. *See Energy Consumption Reduction Targets* Order, at Docket No. M-2012-2289411, (*Phase II Targets Order*), at 24, entered August 2, 2012. [↑](#footnote-ref-10)
11. Hereafter referred to as “TRM-verified savings.” [↑](#footnote-ref-11)
12. *See* *Final Annual Report to the Pennsylvania Public Utility Commission: For the period June 1, 2015 to May 31, 2016*, at Docket No. M-2012-2334399, (Duquesne PY7 Annual Report), at 1, prepared by Navigant Consulting, Inc. for Duquesne Light Company, filed November 16, 2016. [↑](#footnote-ref-12)
13. *See* Table 2-3: Phase II Compliance Summary by EDC of the SWE Final Report. [↑](#footnote-ref-13)
14. *See Phase II Targets Order* at 24. [↑](#footnote-ref-14)
15. *See* *Final Annual Report to the Pennsylvania Public Utility Commission: For the period June 1, 2015 to May 31, 2016*, at Docket No. M-2012-2334387, (Met-Ed PY7 Annual Report), at 1, prepared by ADM Associates, TeraTech MA, and Met-Ed, filed November 15, 2016. [↑](#footnote-ref-15)
16. *See* Table 2-3: Phase II Compliance Summary by EDC of the SWE Final Report. [↑](#footnote-ref-16)
17. *See Phase II Targets Order* at 24. [↑](#footnote-ref-17)
18. *See Final Annual Report to the Pennsylvania Public Utility Commission: For the period June 1, 2015 to May 31, 2016*, at Docket No. M-2012-2333992, (PECO PY7 Annual Report), at 1, prepared by Navigant Consulting, Inc. for PECO Energy Company, filed November 15, 2016. [↑](#footnote-ref-18)
19. *See* Table 2-3: Phase II Compliance Summary by EDC of the SWE Final Report. [↑](#footnote-ref-19)
20. *See Phase II Targets Order* at 24. [↑](#footnote-ref-20)
21. *See Annual Report to the Pennsylvania Public Utility Commission: For the period June 1, 2015 to May 31, 2016,* at Docket No. M-2012-2334392, (Penelec PY7 Final Annual Report), at 1, prepared by ADM Associates, TeraTech MA, and Penelec, filed November 15, 2016. [↑](#footnote-ref-21)
22. *See* Table 2-3: Phase II Compliance Summary by EDC of the SWE Final Report. [↑](#footnote-ref-22)
23. *See Phase II Targets Order* at 24. [↑](#footnote-ref-23)
24. *See Annual Report to the Pennsylvania Public Utility Commission: For the period June 1, 2015 to May 31, 2016,* at Docket No. M-2012-2334395, (Penn Power PY7 Final Annual Report), at 1, prepared by ADM Associates, TeraTech MA, and Penn Power, filed November 15, 2016. [↑](#footnote-ref-24)
25. *See* Table 2-3: Phase II Compliance Summary by EDC of the SWE Final Report. [↑](#footnote-ref-25)
26. *See Phase II Targets Order* at 24. [↑](#footnote-ref-26)
27. *See Annual Report to the Pennsylvania Public Utility Commission: For the period June 1, 2015 to May 31, 2016,* at Docket No. M-2012-2334388, (PPL PY7 Final Annual Report), at 5, prepared by Cadmus Group, Inc., filed November 15, 2016. [↑](#footnote-ref-27)
28. *See* Table 2-3: Phase II Compliance Summary by EDC of the SWE Final Report. [↑](#footnote-ref-28)
29. *See Phase II Targets Order* at 24. [↑](#footnote-ref-29)
30. *See Annual Report to the Pennsylvania Public Utility Commission: For the period June 1, 2015 to May 31, 2016,* at Docket No. M-2012-2334398, (West Penn PY7 Final Annual Report), at 1, prepared by ADM Associates, TeraTech MA, and West Penn, filed November 15, 2016. [↑](#footnote-ref-30)
31. *See* Table 2-3: Phase II Compliance Summary by EDC of the SWE Final Report. [↑](#footnote-ref-31)
32. *See* *Phase II Implementation Order* at 45. [↑](#footnote-ref-32)
33. *See* Table 2-2: Act 129 Phase II Three-Year Low-Income and GNI Energy Efficiency Reduction Targets of the SWE Final Report. [↑](#footnote-ref-33)
34. *See* Duquesne PY7 Final Annual Report at 5. [↑](#footnote-ref-34)
35. *See* Table 2-5: GNI Carve-Out Goal Performance, Summary by EDC, of the SWE Final Report. [↑](#footnote-ref-35)
36. *See* Table 2-2: Act 129 Phase II Three-Year Low-Income and GNI Energy Efficiency Reduction Targets of the SWE Final Report. [↑](#footnote-ref-36)
37. *See* Met-Ed PY7 Final Annual Report at 4. [↑](#footnote-ref-37)
38. *See* Table 2-5: GNI Carve-Out Goal Performance, Summary by EDC, of the SWE Final Report. [↑](#footnote-ref-38)
39. *See* Table 2-2: Act 129 Phase II Three-Year Low-Income and GNI Energy Efficiency Reduction Targets of the SWE Final Report. [↑](#footnote-ref-39)
40. *See* PECO PY7 Final Annual Report at 4. [↑](#footnote-ref-40)
41. *See* Table 2-5: GNI Carve-Out Goal Performance, Summary by EDC of the SWE Final Report. [↑](#footnote-ref-41)
42. *See* Table 2-2: Act 129 Phase II Three-Year Low-Income and GNI Energy Efficiency Reduction Targets of the SWE Final Report. [↑](#footnote-ref-42)
43. *See* Penelec PY7 Final Annual Report at 4. [↑](#footnote-ref-43)
44. *See* Table 2-5: GNI Carve-Out Goal Performance, Summary by EDC, of the SWE Final Report. [↑](#footnote-ref-44)
45. *See* Table 2-2: Act 129 Phase II Three-Year Low-Income and GNI Energy Efficiency Reduction Targets of the SWE Final Report. [↑](#footnote-ref-45)
46. *See* Penn Power PY7 Final Annual Report at 4. [↑](#footnote-ref-46)
47. *See* Table 2-5: GNI Carve-Out Goal Performance, Summary by EDC of the SWE Final Report. [↑](#footnote-ref-47)
48. *See* Table 2-2: Act 129 Phase II Three-Year Low-Income and GNI Energy Efficiency Reduction Targets, of the SWE Final Report. [↑](#footnote-ref-48)
49. *See* PPL PY7 Final Annual Report at 10. [↑](#footnote-ref-49)
50. *See* Table 2-5: GNI Carve-Out Goal Performance, Summary by EDC of the SWE Final Report. [↑](#footnote-ref-50)
51. *See* Table 2-2: Act 129 Phase II Three-Year Low-Income and GNI Energy Efficiency Reduction Targets of the SWE Final Report. [↑](#footnote-ref-51)
52. *See* West Penn PY7 Final Annual Report at 4. [↑](#footnote-ref-52)
53. *See* Table 2-5: GNI Carve-Out Goal Performance, Summary by EDC of the SWE Final Report. [↑](#footnote-ref-53)
54. *See* *Phase II Implementation Order* at 53-58. [↑](#footnote-ref-54)
55. *See Report of the Act 129 Low‑Income Working Group* at Docket No. M‑2009‑2146801, Table 1, at 6, that was adopted by the Commission in an April 27, 2010, Secretarial Letter at the same Docket. [↑](#footnote-ref-55)
56. *See* Duquesne PY7 Final Annual Report at 4. [↑](#footnote-ref-56)
57. *See* Table 2-6: EDC Achievement of Act 129 Low-Income Requirements in PY7 of the SWE Final Report. [↑](#footnote-ref-57)
58. *See Report of the Act 129 Low-Income Working Group* at Docket No. M-2009-2146801. Table 1, at 6, that was adopted by the Commission in an April 27, 2010, Secretarial Letter at the same Docket. [↑](#footnote-ref-58)
59. *See* Met-Ed PY7 Final Annual Report at 4. [↑](#footnote-ref-59)
60. *See* Table 2‑6: EDC Achievement of Act 129 Low‑Income Requirements in PY7 of the SWE Final Report. [↑](#footnote-ref-60)
61. *See* *Report of the Act 129 Low-Income Working Group* at Docket No. M-2009-2146801, Table 1, at 6, that was adopted by the Commission in an April 27, 2010, Secretarial Letter at the same Docket. [↑](#footnote-ref-61)
62. *See* PECO PY7 Final Annual Report at 5. [↑](#footnote-ref-62)
63. *See* Table 2‑6: EDC Achievement of Act 129 Low‑Income Requirements in PY7 of the SWE Final Report. [↑](#footnote-ref-63)
64. *See* *Report of the Act 129 Low-Income Working Group* at Docket No. M-2009-2146801, Table 1, at 6, that was adopted by the Commission in an April 27, 2010, Secretarial Letter at the same Docket. [↑](#footnote-ref-64)
65. *See* Penelec PY7 Final Annual Report at 4. [↑](#footnote-ref-65)
66. *See* Table 2‑6: EDC Achievement of Act 129 Low‑income Requirements in PY7 of the SWE Final Report. [↑](#footnote-ref-66)
67. *See* *Report of the Act 129 Low-Income Working Group* at Docket No. M-2009-2146801, Table 1, at 6, that was adopted by the Commission in an April 27, 2010, Secretarial Letter at the same Docket. [↑](#footnote-ref-67)
68. *See* Penn Power PY7 Final Annual Report at 4. [↑](#footnote-ref-68)
69. *See* Table 2-6: EDC Achievement of Act 129 Low-Income Requirements in PY7 of the SWE Final Report. [↑](#footnote-ref-69)
70. *See* *Report of the Act 129 Low-Income Working Group* at Docket No. M-20090-2146801, Table 1, at 6, that was adopted by the Commission in an April 27, 2010, Secretarial Letter at the same Docket. [↑](#footnote-ref-70)
71. *See* PPL PY7 Final Annual Report at 9. [↑](#footnote-ref-71)
72. *See* Table 2‑6: EDC Achievement of Act 129 Low‑Income Requirements in PY7 of the SWE Final Report. [↑](#footnote-ref-72)
73. *See* *Report of the Act 129 Low-Income Working Group* at Docket No. M-20090-2146801, Table 1, at 6, that was adopted by the Commission in an April 27, 2010, Secretarial Letter at the same Docket. [↑](#footnote-ref-73)
74. *See* West Penn PY7 Final Annual Report at 4. [↑](#footnote-ref-74)
75. *See* Table 2‑6: EDC Achievement of Act 129 Low‑Income Requirements in PY7 of the SWE Final Report. [↑](#footnote-ref-75)
76. *See* *Phase II Implementation Order* at 53-58. [↑](#footnote-ref-76)
77. *See* Table 2-2: Act 129 Phase II Three-Year Low-Income and GNI Energy Efficiency Reduction Targets of the SWE Final Report. [↑](#footnote-ref-77)
78. *See* Duquesne PY7 Final Annual Report at 4. [↑](#footnote-ref-78)
79. *See* Table 2-4: Low‑Income Carve-Out Goal Performance, Summary by EDC of the SWE Final Report. [↑](#footnote-ref-79)
80. *See* Table 2-2: Act 129 Phase II Three-Year Low-Income and GNI Energy Efficiency Reduction Targets of the SWE Final Report. [↑](#footnote-ref-80)
81. *See* Met-Ed PY7 Final Annual Report at 3. [↑](#footnote-ref-81)
82. *See* Table 2-4: Low‑Income Carve-Out Goal Performance, Summary by EDC of the SWE Final Report. [↑](#footnote-ref-82)
83. *See* Table 2-2: Act 129 Phase II Three-Year Low-Income and GNI Energy Efficiency Reduction Targets of the SWE Final Report. [↑](#footnote-ref-83)
84. *See* PECO PY7 Final Annual Report at 5. [↑](#footnote-ref-84)
85. *See* Table 2-4: Low‑Income Carve-Out Goal Performance, Summary by EDC of the SWE Final Report. [↑](#footnote-ref-85)
86. *See* Table 2-2: Act 129 Phase II Three-Year Low-Income and GNI Energy Efficiency Reduction Targets of the SWE Final Report. [↑](#footnote-ref-86)
87. *See* Penelec PY7 Final Annual Report at 3. [↑](#footnote-ref-87)
88. *See* Table 2-4: Low‑Income Carve-Out Goal Performance, Summary by EDC of the SWE Final Report. [↑](#footnote-ref-88)
89. *See* Table 2-2: Act 129 Phase II Three-Year Low-Income and GNI Energy Efficiency Reduction Targets of the SWE Final Report. [↑](#footnote-ref-89)
90. *See* Penn Power PY7 Final Annual Report at 3. [↑](#footnote-ref-90)
91. *See* Table 2-4: Low‑Income Carve-Out Goal Performance, Summary by EDC of the SWE Final Report. [↑](#footnote-ref-91)
92. *See* Table 2-2: Act 129 Phase II Three-Year Low-Income and GNI Energy Efficiency Reduction Targets of the SWE Final Report. [↑](#footnote-ref-92)
93. *See* PPL PY7 Final Annual Report at 9. [↑](#footnote-ref-93)
94. *See* Table 2-4: Low‑Income Carve-Out Goal Performance, Summary by EDC of the SWE Final Report. [↑](#footnote-ref-94)
95. *See* Table 2-2: Act 129 Phase II Three-Year Low-Income and GNI Energy Efficiency Reduction Targets of the SWE Final Report. [↑](#footnote-ref-95)
96. *See* West Penn PY7 Final Annual Report at 3. [↑](#footnote-ref-96)
97. *See* Table 2-4: Low‑Income Carve-Out Goal Performance, Summary by EDC of the SWE Final Report. [↑](#footnote-ref-97)
98. *See Phase II Implementation Order* at 58-60. [↑](#footnote-ref-98)
99. *See Energy Efficiency and Conservation Program* Implementation Order at Docket No. M‑2014‑2424864, (*Phase III Implementation Order*), at 83-86, entered June 19, 2015. [↑](#footnote-ref-99)
100. *See* Duquesne PY7 Final Annual Report at 6. [↑](#footnote-ref-100)
101. *See* Table 2-3: Phase II Compliance Summary by EDC of the SWE Final Report. [↑](#footnote-ref-101)
102. *See* Table 2-4: Low-Income Carve-out Goal Performance, Summary by EDC of the SWE Final Report.

 [↑](#footnote-ref-102)
103. *See* Met-Ed PY7 Final Annual Report at 5. [↑](#footnote-ref-103)
104. *See* Tables 2-3 and 2-4: Phase II Compliance and Low-Income Carve-out Goal Performance, Summary by EDC of the SWE Final Report. [↑](#footnote-ref-104)
105. *See* PECO PY7 Final Annual Report at 8. [↑](#footnote-ref-105)
106. *See* Table 2-5: GNI Carve-out Goal Performance, Summary by EDC of the SWE Final Report. [↑](#footnote-ref-106)
107. *See* Table 2-4: Low-Income Carve-out Goal Performance, Summary by EDC of the SWE Final Report. [↑](#footnote-ref-107)
108. *See* Penelec PY7 Final Annual Report at 5. [↑](#footnote-ref-108)
109. *See* Tables 2-3, 2-4, and 2-5: Phase II Compliance; Low-Income Carve-out Goal Performance, and GNI Carve-out Goal Performance, Summary by EDC of the SWE Final Report. [↑](#footnote-ref-109)
110. *See* Penn Power PY7 Final Annual Report at 5. [↑](#footnote-ref-110)
111. *See* Tables 2-3, 2-4, and 2-5: Phase II Compliance; Low-Income Carve-out Goal Performance, and NI Carve-out Goal Performance, Summary by EDC of the SWE Final Report. [↑](#footnote-ref-111)
112. *See* PPL PY7 Final Annual Report at 12. [↑](#footnote-ref-112)
113. *See* Table 2-3: Phase II Compliance Summary by EDC of the SWE Final Report. [↑](#footnote-ref-113)
114. *See* Table 2-5: GNI Carve-out Goal Performance, Summary by EDC of the SWE Final Report. [↑](#footnote-ref-114)
115. *See* Table 2-4: Low-Income Carve-out Goal Performance, Summary by EDC of the SWE Final Report. [↑](#footnote-ref-115)
116. *See* West Penn PY7 Final Annual Report at 5. [↑](#footnote-ref-116)
117. *See* Tables 2-3 and 2-4: Phase II Compliance and Low-Income Carve-out Goal Performance, Summary by EDC of the SWE Final Report. [↑](#footnote-ref-117)