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May 4, 2020

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

**VIA ELECTRONIC FILING**

**RE: Petition of PECO Energy Company for Approval of Its Default Service Program for the Period From June 1, 2021 Through May 31, 2025; Docket No. P-2020-3019290**


Dear Secretary Chiavetta:

Enclosed for filing with the Pennsylvania Public Utility Commission is the Prehearing Memorandum of the Philadelphia Area Industrial Energy Users Group ("PAIEUG"), in the above-referenced proceeding.

As shown by the attached Certificate of Service and per the Commission's March 20, 2020, Emergency Order, all parties to this proceeding are being duly served only via email due to the current COVID-19 pandemic. We are also filing these documents electronically. Upon lifting of the aforementioned Emergency Order, we can provide parties with a hard copy of this pleading upon request. Thank you.

Sincerely,

McNEES WALLACE & NURICK LLC

By   
Charis Mincavage

Counsel to the Philadelphia Area Industrial Energy Users Group

Enclosure

c: Administrative Law Judge Eranda Vero (via E-mail)  
Certificate of Service

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## CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a true copy of the foregoing document upon the participants listed below in accordance with the requirements of Section 1.54 (relating to service by a participant).

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Charis Mincavage

Counsel to the Philadelphia Area Industrial  
Energy Users Group

Dated this 4<sup>th</sup> day of May, 2020, in Harrisburg, Pennsylvania

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PECO Energy Company	:	
for Approval of Its Default Service Program	:	Docket No. P-2020-3019290
for the Period From June 1, 2021 Through	:	
May 31, 2025	:	

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**PREHEARING MEMORANDUM OF THE  
PHILADELPHIA AREA INDUSTRIAL ENERGY USERS GROUP**

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As requested by Administrative Law Judge ("ALJ") Eranda Vero in the Prehearing Conference Order dated April 21, 2020, the Philadelphia Area Industrial Energy Users Group ("PAIEUG") hereby submits this Prehearing Memorandum.

**I. HISTORY OF THE PROCEEDING**

On March 13, 2020, PECO Energy Company ("PECO" or the "Company") filed with the Pennsylvania Public Utility Commission ("PUC" or "Commission") a Petition for Approval of the Company's fifth Default Service Program ("DSP V"). Through its Petition for Approval of DSP V ("Petition"), PECO outlined the Company's proposed procurement plan, implementation plan, and contingency plan for acquiring default service energy supply for all PECO customers who, upon expiration of the Company's current Default Service Program ("DSP IV") on May 31, 2021, do not take generation service from an alternative Electric Generation Supplier ("EGS") or who contract with an EGS for energy supply that is not delivered. The Company's filing proposes to continue the existing products and programs approved under PECO's DSP IV.

On April 1, 2020, PAIEUG filed a Petition to Intervene in this proceeding. A description of PAIEUG is set forth in Paragraph 1 of PAIEUG's Petition to Intervene. PAIEUG's Petition to Intervene is outstanding and awaits disposition by the ALJ.

## **II. ANTICIPATED ISSUES AND SUB-ISSUES**

As some of PECO's largest customers, PAIEUG members are in a unique position to comment to the Commission on the customer impact of PECO's Petition and the consequences for Large Commercial and Industrial ("C&I") customers. PAIEUG is concerned with issues regarding the terms and conditions of its members' electricity service and, therefore, intends to examine issues related to the application of PECO's DSP V to Large C&I customers. PAIEUG also reserves the right to raise further issues as necessary and appropriate during the course of this proceeding and to respond to issues raised by other parties.

## **III. PROPOSED WITNESSES**

PAIEUG is in the process of evaluating whether it will sponsor testimony in this proceeding. In the event that PAIEUG decides to sponsor testimony, it will immediately inform the parties and the ALJ of any intended witnesses and topics of testimony. PAIEUG also intends to participate in this proceeding through the submission of discovery, cross-examination of other parties' witnesses, and the submission of briefs, exceptions and reply exceptions, if necessary.

## **IV. PROPOSED SCHEDULE AND DISCOVERY RULES**

PAIEUG will cooperate with the ALJ and the parties at the Prehearing Conference to determine a procedural schedule and develop appropriate discovery rules in accordance with the Commission's regulations and any directives issued by the ALJ.

**V. SETTLEMENT**

PAIEUG is willing to participate in settlement discussions with the other parties to amicably resolve the issues in this proceeding, subject to Commission approval.

Respectfully submitted,

McNEES WALLACE & NURICK LLC

By  \_\_\_\_\_

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Dated: May 4, 2020