



Climate Justice and Jobs Team

May 12, 2020

The Hon. Eranda Vero
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

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)

Your Honor,

As a follow-up to POWER's prior letter to Your Honor, which expressed the interest of our members in testifying at a public input hearing on PECO's proposed DSP, I am writing in regard to PECO's motion to limit public testimony. I am troubled by PECO's attempt to limit public input to topics specified in Appendix A of their motion, and to preemptively exclude all other topics from consideration. On behalf of POWER, I am writing to ask that you deny this motion so that our members will be able to testify fully and appropriately in the public input hearing that we requested.

PECO's stated goal for this motion is to "facilitate both public participation and efficient and effective development of the record." We share these goals, but do not think their proposed method supports their goals. Neither the PUC nor the public should be constrained in their review of the proposed DSP. Public hearings help the PUC in their stated mission to balance the needs of consumers and utilities. Clearly, public testimony should be relevant to the review of the DSP, taken in the broadest terms; the public should be able to address the assumptions and implications of the proposed DSP, and to speak of its impact on their community, without restriction. As your Honor indicated at the May 5th telephonic Prehearing Conference, the attorneys will have time after the public hearing to determine what material is relevant for their written submissions to your Honor and the PUC.

In constructing their oral testimony to your Honor, members of the public should not be burdened with a list of permitted and nonpermitted topics. Such a burden will cause unnecessary intimidation, will lengthen the hearing with objections about the topic list and discussion amongst legal counsel, and will likely create confusion over what was expressed by the public.

Many of POWER's members are working class, and facing severe added stresses due to the pandemic, but many will be able carve out time to testify regardless, given the importance of the issues in the DSP. Yet burdening public participation with a long and complex list of permissible and impermissible topics will not be helpful. POWER's members should be given a voice in policy decisions that shape their lives without such undue burden.

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We are also troubled by PECO's request to prohibit any testimony on the topic of whether solar, particularly local solar, can contribute to ensuring adequate and reliable service. We believe that local solar has many important benefits, including helping ensure safe and reliable service even during emergencies and extreme weather events. Since low income communities are often among the hardest hit by disasters and by climate change, this consideration has particular importance to us.

Therefore, on behalf of POWER, I ask that your Honor deny PECO's motion to impose advance limits on public testimony. The scope is adequately and already defined as the proposed DSP. Further limitations impede the public's ability to voice their concerns.

Thank you for your time and consideration,

Sincerely,

Dr. Steven Greenspan
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