



100 Pine Street • PO Box 1166 • Harrisburg, PA 17108-1166  
Tel: 717.232.8000 • Fax: 717.237.5300

Charis Mincavage  
Direct Dial: 717.237.5437  
Direct Fax: 717.260.1725  
cmincavage@mcneeslaw.com

March 1, 2021

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

**VIA ELECTRONIC FILING**

**RE: Joint Petition for Consolidation of Proceedings and Approval of the Phase IV Energy Efficiency and Conservation Plans of Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company, and West Penn Power Company; Docket Nos. M-2020-3020820, M-2020-3020821, M-2020-3020822, M-2020-3020823**

Dear Secretary Chiavetta:

Attached please find for filing with the Pennsylvania Public Utility Commission the Reply Comments on behalf of the Met-Ed Industrial Users Group ("MEIUG"), the Penelec Industrial Customer Alliance ("PICA"), and the West Penn Power Industrial Intervenors ("WPPII"), 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 via email only due to the current COVID-19 pandemic. Upon lifting of the aforementioned Emergency Order, we can provide parties with a hard copy of this document upon request.

Sincerely,

McNEES WALLACE & NURICK LLC

By   
Charis Mincavage

Counsel to the Met-Ed Industrial Users Group,  
the Penelec Industrial Customer Alliance, and  
the West Penn Power Industrial Intervenors

c: Deputy Chief Administrative Law Judge Mark A. Hoyer (via E-mail)  
Administrative Law Judge Emily DeVoe (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 52 Pa. Code Section 1.54 (relating to service by a participant).

### VIA FIRST-CLASS MAIL

Tori L. Giesler, Esq.  
FirstEnergy Service Company  
2800 Pottsville Pike  
Reading, PA 19612-6001  
[tgiesler@firstenergycorp.com](mailto:tgiesler@firstenergycorp.com)

David B. MacGregor  
Post & Schell, P.C.  
Four Penn Center  
1600 John F. Kennedy Boulevard  
Philadelphia, PA 19103-2808  
[dmacgregor@postschell.com](mailto:dmacgregor@postschell.com)

Devin T. Ryan  
Post & Schell, P.C.  
17 North Second Street, 12th Floor  
Harrisburg, PA 17101-1601  
[dryan@postschell.com](mailto:dryan@postschell.com)

Elizabeth R. Marx, Esq.  
John Sweet, Esq.  
Ria Pereira, Esq.  
Pennsylvania Utility Law Project  
118 Locust Street  
Harrisburg, PA 17101  
[emarxpulp@palegalaid.net](mailto:emarxpulp@palegalaid.net)  
[jsweetpulp@palegalaid.net](mailto:jsweetpulp@palegalaid.net)  
[rpereirapulp@palegalaid.net](mailto:rpereirapulp@palegalaid.net)

Erin K. Fure, Esq.  
Office of Small Business Advocate  
300 North Second Street, Suite 202  
Harrisburg, PA 17101  
[efure@pa.gov](mailto:efure@pa.gov)

Aron J. Beatty, Esq.  
Christy Appleby, Esq.  
Office of Consumer Advocate  
555 Walnut Street, 5<sup>th</sup> Floor  
Harrisburg, PA 17101  
[abeatty@paoca.org](mailto:abeatty@paoca.org)  
[cappleby@paoca.org](mailto:cappleby@paoca.org)

Joseph L. Vullo, Esq.  
Burke Vullo Reilly Roberts  
1460 Wyoming Avenue  
Forty Fort, PA 18704  
[jlvullo@aol.com](mailto:jlvullo@aol.com)

Thomas J. Sniscak, Esq.  
Whitney E. Snyder, Esq.  
Bryce R. Beard, Esq.  
Hawke McKeon & Sniscak LLP  
100 North Tenth Street  
Harrisburg, PA 17101  
[tjsniscak@hmslegal.com](mailto:tjsniscak@hmslegal.com)  
[wesnyder@hmslegal.com](mailto:wesnyder@hmslegal.com)  
[brbeard@hmslegal.com](mailto:brbeard@hmslegal.com)



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Charis Mincavage

Counsel to the Met-Ed Industrial Users Group,  
the Penelec Industrial Customer Alliance, and  
the West Penn Power Industrial Intervenors

Dated this 1<sup>st</sup> day of March, 2021, at Harrisburg, Pennsylvania

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Joint Petition for Consolidation of Proceedings :  
and Approval of the Phase IV Energy Efficiency : Docket Nos. M-2020-3020820  
and Conservation Plan of Metropolitan Edison : M-2020-3020821  
Company, Pennsylvania Electric Company, : M-2020-3020822  
Pennsylvania Power Company, and West Penn : M-2020-3020823  
Power Company :

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**REPLY COMMENTS OF  
THE MET-ED INDUSTRIAL USERS GROUP,  
THE PENELEC INDUSTRIAL CUSTOMER ALLIANCE, AND  
THE WEST PENN POWER INDUSTRIAL INTERVENORS**

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Susan E. Bruce (Pa. I.D. No. 80146)  
Charis Mincavage (Pa. I.D. No. 82039)  
Jo-Anne Thompson (Pa. I.D. No. 325956)  
McNEES WALLACE & NURICK LLC  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166  
Phone: (717) 232-8000  
Fax: (717) 237-5300  
sbruce@mcneeslaw.com  
cmincavage@ mcneeslaw.com  
jthompson@ mcneeslaw.com

Counsel to the Met-Ed Industrial Users Group, the  
Penelec Industrial Customer Alliance, and the West  
Penn Power Industrial Intervenors

Dated: March 1, 2021

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## I. INTRODUCTION

On November 30, 2020, the Metropolitan Edison Company ("Met-Ed"), Pennsylvania Electric Company ("Penelec"), Pennsylvania Power Company ("Penn Power"), and West Penn Power Company ("West Penn") (collectively, "Companies") petitioned the Pennsylvania Public Utility Commission ("PUC" or "Commission") for approval of the Companies' Phase IV Energy Efficiency & Conservation ("EE&C") Plans ("Phase IV Plans"). The Companies' Petition for Approval of its Phase IV Plan ("Petition") outlines the Companies' proposal to address the requirements of Act 129 and the PUC's Phase IV Implementation Order.<sup>1</sup> *See* Petition, p. 1.

Pursuant to the procedural schedule established in this proceeding, parties were permitted to submit Comments between January 22, 2021, and January 25, 2021, with Reply Comments due March 1, 2021. As discussed more fully in Section II, *infra*, the Met-Ed Industrial Users Group ("MEIUG"), the Penelec Industrial Customer Alliance ("PICA"), and the West Penn Power Industrial Intervenors ("WPPII") (collectively, "Industrial Customer Groups") submit these Reply Comments to respond to a specific issue raised in the Comments of Ceres, which argued that Electric Distribution Companies ("EDCs") should be mandated to continue to spend their Phase IV Act 129 budgets even after the EDCs' Phase IV goals are met.<sup>2</sup> For the reasons detailed below, the Industrial Customer Groups respectfully request that the Commission deny Ceres' recommendation and confirm that, as discussed in the Implementation Order,<sup>3</sup> the PUC will permit EDCs to spend their Phase IV budgets after their Phase IV goals have been met, but such spending is not required by the Commission.

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<sup>1</sup> *Energy Efficiency and Conservation Program*; Docket No. M-2020-3015228, Implementation Order (June 18, 2020) ("Implementation Order").

<sup>2</sup> Ceres filed substantially similar Comments in all of the various EDC Phase IV EEC proceedings.

<sup>3</sup> Implementation Order, pp. 131-132.

## II. COMMENTS

In the Comments filed by Ceres on January 25, 2021, Ceres asked that the Commission consider a number of recommendations, including that the Commission mandate EDCs to continue spending their Phase IV budgets on their EE&C Programs even after attaining the required Phase IV EEC targets. What Ceres fails to recognize, however, is that the Commission has already considered and rejected this mandate in the Implementation Order.<sup>4</sup> During the PUC's contemplation of Phase IV implementation processes and procedures, Ceres, along with the Coalition for Affordable Utility Service and Energy Efficiency in Pennsylvania ("CAUSE-PA"), Keystone Energy Efficiency Alliance ("KEEA"), and Regional Housing Legal Services (collectively, "PA-EEFA"), made the very same suggestion.<sup>5</sup> The Commission directly rejected this suggestion, stating that "[f]or Phase IV of Act 129, we will not adopt the suggestions put forth by PA EEFA, CAUSE-PA, Ceres, or KEEA, as they are contrary to the EE&C Plan limitations on costs."<sup>6</sup> As nothing has changed between the issuance of the Phase IV Final Implementation Order in June 2020 and the consideration of the Companies' Phase IV EE&C Plan proposal, a change in the Commission's recent decision is not warranted. Accordingly, the Commission must deny Ceres' recommendation and, instead, confirm that EDCs are not mandated to continue to spend their Phase IV budget after meeting their Phase IV targets.

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<sup>4</sup> *Id.*

<sup>5</sup> *Id.* at 131.

<sup>6</sup> *Id.*

### III. CONCLUSION

**WHEREFORE**, the Met-Ed Industrial Users Group, the Penelec Industrial Customer Alliance, and the West Penn Power Industrial Intervenors respectfully request that the Pennsylvania Public Utility Commission deny Ceres' recommendation for the reasons set forth in the above Reply Comments.

Respectfully submitted,

McNEES WALLACE & NURICK LLC

By 

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Susan E. Bruce (Pa. I.D. No. 80146)  
Charis Mincavage (Pa. I.D. No. 82039)  
Jo-Anne Thompson (Pa. I.D. No. 325956)  
McNEES WALLACE & NURICK LLC  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166  
Phone: (717) 232-8000  
Fax: (717) 237-5300  
sbruce@mcneeslaw.com  
cmincavage@ mcneeslaw.com  
jthompson@ mcneeslaw.com

Counsel to the Met-Ed Industrial Users Group, the  
Penelec Industrial Customer Alliance, and the West  
Penn Power Industrial Intervenors

Dated: March 1, 2021