



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BUILDING
400 NORTH STREET
HARRISBURG, PENNSYLVANIA 17120

IN REPLY PLEASE
REFER TO OUR FILE
M-2012-2293611

May 18, 2022

Donna M.J. Clark
Vice President and General Counsel
Energy Association of Pennsylvania
800 N Third Street, Suite 205
Harrisburg, PA 17102-2025

Re: Distribution System Improvement Charge - Implementation Order to address all issues pertaining to the distribution system improvement charge calculations required in the Pennsylvania Supreme Court's decision in *McCloskey v. Pa. PUC*, 255 A.3d 416 (Pa. 2021).

Dear Ms. Clark,

With this Secretarial Letter and for the reasons expressed below, the Pennsylvania Public Utility Commission (Commission) is granting the Energy Association of Pennsylvania's (EAP) Petition for an Extension of Time to File Comments in the above-referenced proceeding. Comments to the April 22, 2022 Secretarial Letter, are now due within 90 days of the issuance of that Secretarial Letter, or by July 22, 2022. The EAP states that it is acting on behalf of its electric distribution companies (EDCs)¹ and natural gas distribution companies (NGDCs)²

On April 22, 2022, the Commission issued a Secretarial Letter noting its previous affirmance of the material question posed by the FirstEnergy Companies to initiate a generic proceeding at Docket M-2012-2293611 for the purpose of revising the Distribution System Improvement Charge ("DSIC") Model Tariff adopted in the Commission's Implementation Order entered at that docket on August 2, 2012. The Commission seeks input on how to comply with Section 1301.1(a) of the Pennsylvania Public Utility Code as interpreted by the Pennsylvania Supreme Court in *McCloskey v.*

¹ EAP's EDC members include Citizens' Electric Company; Duquesne Light Company; Metropolitan Edison Company; PECO Energy Company; Pennsylvania Electric Company; Pennsylvania Power Company; Pike County Light & Power Company; PPL Electric Utilities; UGI Utilities Inc. – Electric Division; Wellsboro Electric Company; and West Penn Power Company.

² EAP's NGDC members include Columbia Gas of Pennsylvania, Inc.; Leatherstocking Gas Company, LLC; National Fuel Gas Distribution Corp.; PECO Energy Company; People's Natural Gas Company LLC; Peoples Gas Company LLC; Philadelphia Gas Works; Pike County Light & Power Company; UGI Utilities, Inc.-Gas Division; and Valley Energy Inc.

Pa. PUC, 255 A.3d 416 (Pa. 2021)³. Specifically, the Commission invited comment from interested parties on a list of bulleted issues and key topics prior to holding a working group meeting in order to provide a forum for discussion and feedback from stakeholders.

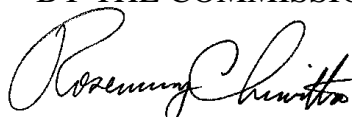
On May 11, 2022, the EAP filed a petition for an expedited order granting an extension of time to file comments to the Commission’s secretarial letter regarding the issues pertaining to the DSIC calculations and Model Tariff required by the Supreme Court’s decision. The EAP states that given the complex technical, legal, and policy issues raised by the Secretarial Letter, an extension of time until July 22, 2022 for all interested parties to file comments should be granted. In support of its extension request, the EAP believes that the extra time sought through this request will not impede the Commission’s goal to address “all issues pertaining to the [DSIC] calculations required by the Pennsylvania Supreme Court” that will benefit all potential commentators and the Commission by eliciting a more thorough and nuanced analysis.

EAP states that it has contacted the Office of Consumer Advocate, the Office of Small Business Advocate and the PUC Bureau of Investigation & Enforcement (collectively, the Statutory Advocates) with each responding that there was no objection to EAP requesting a sixty (60) day extension of time.

The Commission recognizes the importance and complexity of the issues raised in this proceeding and that a thorough and complete record will better inform the Commission, the public utilities, and the Statutory Advocates on these important ratemaking issues. For these reasons, the Commission will grant the Petition for an Extension of Time to File Comments. Comments to the April 22, 2022 Secretarial Letter are now due within 90 days of the date of that letter, or by July 22, 2022.

Please direct any questions regarding this comment period extension to Erin Laudenslager, elaudensla@pa.gov, or David Huff, dhuff@pa.gov.

BY THE COMMISSION,



Rosemary Chiavetta
Secretary

³ Specifically, the Commission issued a letter to address the Commission’s Order at docket numbers P-2015-2508942, P-2015-2508936, P-2015-2508931 and P-2015-2508948, and C-2016-2531040, *et al*, where the Commission affirmed the Petition for Interlocutory Review and Answer to Material Question filed by the Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company, and West Penn Power Company (collectively, the Companies) on January 31, 2022. For the complete procedural history of this proceeding see the Commission’s January 31, 2022 Order at P-2015-2508931 *et al*. pages 3 – 8.

cc: All parties served in accordance with the April 22, 2022 Secretarial Letter at the above-referenced Docket.
Chairman Brown Dutrieuille
Vice Chairman Coleman
Commissioner Yanora