



January 30, 2023

**VIA E-File**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
400 North Street, Filing Room  
Harrisburg, PA 17120

**Re: Petition of PPL Electric Utilities Corporation for Approval of its Act 129 Phase IV Energy Efficiency and Conservation Plan, Docket No. M-2020-3020824**

*CAUSE-PA Answer to PPL Petition for Approval of Changes to its Act 129 Phase IV EE&C Plan*

Dear Secretary Chiavetta:

Please find the attached **Answer of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA)** in the above-referenced matter. As indicated on the attached Certificate of Service, service on the parties was accomplished by email only.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "John W. Sweet", with a horizontal line above it.

John W. Sweet, Esq.  
*Counsel for CAUSE-PA*

CC: *Certificate of Service*

**BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PPL Electric Utilities Corporation for :  
Approval of its Act 129 Phase IV Energy : Docket No. M-2020-3020824  
Efficiency and Conservation Plan :

---

**ANSWER OF THE COALITION FOR AFFORDABLE UTILITY SERVICES AND  
ENERGY EFFICIENCY IN PENNSYLVANIA**

**TO THE PETITION OF PPL ELECTRIC UTILITIES CORPORATION FOR  
APPROVAL OF CHANGES TO ITS ACT 129 PHASE IV ENERGY EFFICIENCY AND  
CONSERVATION PLAN**

---

**PENNSYLVANIA UTILITY LAW PROJECT**

*Counsel for CAUSE-PA*

John W. Sweet, Esq., PA ID: 320182  
Elizabeth R. Marx, Esq., PA ID: 309014  
Ria M. Pereira, Esq., PA ID: 316771  
Lauren Berman, Esq., PA ID: 310116

118 Locust Street  
Harrisburg, PA 17101  
Tel.: 717-236-9486  
Fax: 717-233-4088

**January 30, 2023**

[pulp@pautilitylawproject.org](mailto:pulp@pautilitylawproject.org)

## **I. INTRODUCTION**

Pursuant to the Rules of Practice and Procedure of the Pennsylvania Public Utility Commission (PUC or Commission), 52 Pa. Code § 5.61, the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA), through its counsel at the Pennsylvania Utility Law Project, hereby files this Answer to the Petition of PPL Electric Utilities Corporation (PPL or the Company) for Approval of Changes to its Act 129 Phase IV Energy Efficiency and Conservation (EE&C) Plan (Petition) at the above captioned docket.

According to Commission regulation, Answers to a petition are due within 20 days “[u]nless a different time is prescribed by statute, the Commission, or presiding officer.” 52 Pa. Code § 5.61(a). Through the Minor Plan Change Order, the Commission has prescribed a 30-day response time for proposed major plan changes and allows interested parties to file both comments and answers. See Energy Efficiency and Conservation Program, Docket No. M-2008-2069887, pp. 20- 21 (order entered June 10, 2011) (“Minor Plan Change Order”). In its Petition, PPL requests that the Commission review and approve all the proposed modifications, both “major” and “minor,” under the major change process set forth in the Commission’s *Minor Plan Change Order*.

## **II. BACKGROUND**

1. Act 129 of 2008 (Act 129) charged the Commission with the task of developing an energy efficiency and conservations program (EE&C Program). The Act also established energy efficiency (EE) and peak demand reduction (PDR or DR) targets that each electric distribution company (EDC) with at least 100,000 customers must meet. Pursuant to Section 2806.1(C)(3) of Act 129, the Commission was charged with

evaluating the costs and benefits of the EE&C Program by November 30, 2013, and every five years thereafter.

2. On November 30, 2020, PPL Electric Utilities Corporation (PPL or the Company) filed a Petition for Approval of Its Act 129 Phase IV Energy Efficiency and Conservation Plan at the above-captioned docket. Several parties either intervened or entered their appearances, including CAUSE-PA, the Office of Consumer Advocate (“OCA”), the Office of Small Business Advocate (“OSBA”), PP&L Industrial Customer Alliance (“PPLICA”), the Commission on Economic Opportunity (“CEO”), the Sustainable Energy Fund (“SEF”), and the Natural Resources Defense Council (“NRDC”). CAUSE-PA intervened to ensure that PPL’s Phase IV EE&C Plan is appropriately designed to provide affordable and accessible energy efficiency measures for low income customers and other vulnerable consumer groups. CAUSE-PA submitted expert testimony and exhibits analyzing the details of PPL’s proposed Phase IV Plan and its alignment with the Commission’s Phase IV Implementation Order and other important policy goals and objectives. CAUSE-PA expert witness, Mitchell Miller, explained that PPL serves a substantial number of low income customers who are unable to afford utility service, and are in dire need of comprehensive energy efficiency programs to help control their usage and, in turn, reduce their monthly electric bills. (CAUSE-PA St. 1 at 14-17).
3. On February 26, 2021, the parties submitted the Joint Petition for Approval of Partial Settlement, which was achieved as a result of extensive settlement discussions by the active parties. See Joint Petition for Partial Settlement (Filed Feb. 26, 2021).
4. On December 30, 2022, PPL filed the Current Petition for Approval of Changes to its Phase IV EE&C Plan and requested that the Commission review and approve all the

proposed modifications, under the “major” change process, under which parties will have 30 days to file comments, an answer, or both, and 20 days to file replies.

5. CAUSE-PA files this Answer and its separately filed Comments in response to PPL’s Petition.

### **III. STANDING**

6. CAUSE-PA is an active party to PPL’s Phase IV EE&C proceeding and a signatory to the Joint Petition for Partial Settlement at the above captioned docket.
7. Pursuant to the requirements contained in 52 Pa. Code § 5.61(e), CAUSE-PA asserts that, as an active party to PPL’s Phase IV EE&C proceeding, it has ongoing standing to file this formal Answer and fully participate in any Commission proceeding resulting from PPL’s instant Petition. 52 Pa. Code § 5.61(e).

### **IV. ANSWER**

8. CAUSE-PA has reviewed PPL’s Petition and proposed amendments to its Phase IV EE&C Plan. While CAUSE-PA is not principally opposed to PPL’s proposed programmatic amendments, we nevertheless identified a number of issues presented in the filing that require further adjustment, investigation, and/or ongoing monitoring to ensure that PPL’s EE&C Plan equitably serves low and moderate income consumers in its service territory and complies with the terms of the Joint Petition for Partial Settlement. These issues are discussed more fully in CAUSE-PA’s separately filed Comments.
9. The potential issues identified by CAUSE-PA include the following:
  - a. Whether PPL’s proposed changes to its low income program are compliant with the terms of the Joint Petition for Partial Settlement;

- b. Whether PPL’s proposed changes to its low income program will impact the availability of comprehensive, direct-install measures for low-income customers.
  - c. Whether PPL’s proposal to add air conditioning *retirement* to available low income program should be expanded to include air conditioning *replacement* to ensure net energy savings are realized.
  - d. Whether PPL’s proposal to shift approximately \$18 million from its Large Commercial and Industrial Program to its Small Commercial and Industrial Program will be implemented in an equitable manner that improves the availability of services to underserved segments of the small C&I class, including affordable multifamily buildings.
10. PPL proposes to adjust “certain existing measures’ eligibility requirements, estimated participation, and incentive ranges based on that feedback and the Company’s own analysis.” (Petition at 9). As explained in its Comments, CAUSE-PA respectfully asserts that additional explanation is necessary to ensure that the proposed changes to eligibility requirements and estimated participation do not reduce the availability of comprehensive and direct install measures for low income households.
11. PPL also proposes to remove certain measures due to lack of expected participation. (Id. at 10). CAUSE-PA respectfully asserts that PPL should explain what steps it has taken to evaluate whether participation could be increased by removing barriers to participation – rather than eliminating available measures.
12. PPL proposes to add “air conditioning retirement” to the available measures for its low income program. (Id. at 10). CAUSE-PA asserts that PPL should be required to both

retire *and replace* inefficient air conditioners to ensure that low income households are not replacing retired air conditioners with inefficient cooling equipment.

13. PPL proposes to update its EE&C Plan to reflect its actual Phase III carryover savings, including Phase III rollover savings related to its low income compliance target. (Id. at 17). CAUSE-PA respectfully asserts that ongoing monitoring is required to ensure that the inclusion of additional rollover funds will not erode the availability of program services.
14. PPL proposes to shift approximately \$18 million from its Large Commercial and Industrial Budget to its Small Commercial and Industrial Budget. (Id. at 11). CAUSE-PA respectfully asserts that the Commission should require PPL to direct at least 20% of reallocated funds to serve affordable multifamily buildings, helping to close the gap in services for this difficult to reach segment of the small commercial and industrial class.
15. CAUSE-PA asserts that each of these matters, as well as any others that may be identified through Comments and Reply Comments of interested parties and stakeholders, must be addressed prior to approval of PPL's Petition.

## **V. CONCLUSION**

For the reasons set forth above, and more fully explained in CAUSE-PA's formal Comments, CAUSE-PA respectfully requests that the Commission direct PPL to provide additional information and to make further adjustments to its Petition to ensure the continued availability of comprehensive energy efficiency services to low income families across PPL's service territory.

Respectfully submitted,

**PENNSYLVANIA UTILITY LAW PROJECT**

*Counsel for CAUSE-PA*



---

John W. Sweet, Esq., PA ID: 320182  
Elizabeth R. Marx, Esq., PA ID: 309014  
Ria M. Pereira, Esq., PA ID: 316771  
Lauren Berman, Esq., PA ID: 310116  
118 Locust Street  
Harrisburg, PA 17101  
Tel.: 717-236-9486  
Fax: 717-233-4088  
[pulp@pautilitylawproject.org](mailto:pulp@pautilitylawproject.org)

Dated: January 30, 2023



**BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PPL Electric Utilities Corporation for :  
Approval of its Act 129 Phase IV Energy : Docket No. M-2020-3020824  
Efficiency and Conservation Plan :

---

**Certificate of Service**

I hereby certify that I have this day served copies of the **Answer of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA)** upon the parties of record in the above captioned proceeding in accordance with the requirements of 52 Pa. Code § 1.54.

**VIA Email Only**

Devin T. Ryan, Esq.  
Post & Schell, PC  
17 North Second Street  
12<sup>th</sup> Floor  
Harrisburg, PA 17101-1601  
[dryan@postschell.com](mailto:dryan@postschell.com)

Kimberly A. Klock, Esq.  
Michael J. Shafer, Esq.  
PPL Services Corporation  
Two North Ninth Street  
Allentown, PA 18101  
[kklock@pplweb.com](mailto:kklock@pplweb.com)  
[mjshafer@pplweb.com](mailto:mjshafer@pplweb.com)

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

Steven C. Gray, Esq.  
Small Business Advocate  
Office of Small Business Advocate  
300 North Second Street, Suite 202  
Harrisburg, Pennsylvania 1710  
[sgray@pa.gov](mailto:sgray@pa.gov)

Aron J. Beatty, Esq.  
Christy Appleby, Esq.  
Office of Consumer Advocate  
555 Walnut Street  
5<sup>th</sup> floor, Forum Place  
Harrisburg, PA 17101-1923  
[abeatty@paoca.org](mailto:abeatty@paoca.org)  
[cappleby@paoca.org](mailto:cappleby@paoca.org)

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

Judith D. Cassel, Esq.  
Micah R. Bucy, Esq.  
Hawke, McKeon & Sniscak, LLP  
100 North Tenth Street  
Harrisburg, PA 17105-1778  
[jdcassel@hmslegal.com](mailto:jdcassel@hmslegal.com)  
[mrbcy@hmslegal.com](mailto:mrbcy@hmslegal.com)

Mark Szybist, Esq.  
Natural Resources Defense Council  
1152 15<sup>th</sup> Street NW  
Suite 300  
Washington, DC 20005  
[mszybist@nrdc.org](mailto:mszybist@nrdc.org)

James M. Van Nostrand, Esq.  
Keyes & Fox LLP  
320 Fort Duquesne Blvd.  
Suite 15K  
Pittsburgh, PA 15222  
[jvannostrand@keyesfox.com](mailto:jvannostrand@keyesfox.com)

Adeolu A. Bakare, Esq.  
Jo-Anne Thompson, Esq.  
McNees Wallace & Nurick LLC  
100 Pine Street  
PO Box 1166  
Harrisburg, PA 17108  
[abakare@mcneeslaw.com](mailto:abakare@mcneeslaw.com)  
[jthompson@mcneeslaw.com](mailto:jthompson@mcneeslaw.com)

Respectfully Submitted,  
**PENNSYLVANIA UTILITY LAW PROJECT**  
*Counsel for CAUSE-PA*



John W. Sweet, Esq., PA ID: 320182  
118 Locust Street  
Harrisburg, PA 17101  
717-236-9486  
[pulp@palegalaid.net](mailto:pulp@palegalaid.net)

January 30, 2023