



May 16, 2017

VIA E-FILING

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

Re: Petition of PPL Electric Utilities Corporation for Approval of a Default Service Program and Procurement Plan for the Period of June 1, 2017 through May 31, 2021, Docket No. P-2016-2526627

Dear Secretary Chiavetta,

The Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA) respectfully submits this letter in support of PPL Electric Utilities' (PPL) Petition to Withdraw its Petition to Amend the Customer Assistance Program Standard Offer Program (CAP-SOP) implementation date ("PPL Petition to Withdraw").

On March 10, 2017, PPL filed a Petition for Approval to Amend the Implementation Date of the CAP-SOP that was to launch on June 1, 2017. In that petition, PPL indicated that because of various system design issues it did not believe that it would be able to test and implement the system changes by the June 1st date. Petition Amend at ¶ 21. This Petition has not been ruled on by the Commission.

On May 8, 2017, PPL filed its Petition to Withdraw explaining that it had subsequently determined that it can in fact fully complete and implement CAP-SOP by June 1, 2017 as originally ordered and approved by the Commission's October 27, 2016 Opinion and Order. *See Petition of PPL Electric Utilities Corporation for Approval of a Default Service Program and Procurement Plan for the Period of June 1, 2017 Through May 31, 2017, Docket No. P-2016-2526627, Ordering Paragraph 14.a. (Order entered Oct. 27, 2016) ("DSP IV Order")*.

On May 12, 2017, the Retail Energy Supply Association (RESA) filed a letter opposing PPL's Petition to Withdraw citing "operational" issues related to CAP-SOP, and made the request that the Commission delay CAP-SOP and refer the operational issues to the Commission's Office of Competitive Market Oversight.

CAUSE-PA fully supports PPL's Petition to Withdraw and opposes RESA's requested delay. PPL's initial request to amend was premised on its potential inability to comply with the Commission's *DSP IV Order* requiring the CAP-SOP launch on June 1, 2017. Once it realized that it could in fact comply with this Order, it promptly filed the Petition to Withdraw. RESA's opposition to this request is based on its disagreement with the CAP-SOP program as a whole – a disagreement that is the subject of an ongoing appeal – and is not based on any actual operational issues that would prevent CAP-SOP from launching June 1, 2017. To the extent that RESA has raised operational concerns they are both untimely and pretextual.

RESA's concerns are untimely because it was RESA's responsibility to raise these concerns on the record in the DSP IV proceeding. It did not do so and cannot now seek to collaterally attack an approved Commission Order.

RESA's concerns are pretextual because it continues to erroneously assert that existing CAP contracts will be terminated and suppliers will have to "drop" their current PPL Electric CAP customers. This is not true. The Commission expressly approved a CAP-SOP program that allows all CAP customers who are currently on a fixed-term contract to have that contract "**remain in place until the contract term expires and/or is terminated.**" See *DSP IV Order*, Ordering Paras. 14(g) (emphasis added).

Procedurally, the Commission should grant PPL's Petition to Withdraw because it would put all parties where they were when the Commission denied RESA's Petition for Reconsideration: PPL will be implementing CAP-SOP on June 1, 2017. Had PPL never filed its original petition to amend this is the place where all Parties would be. Thus, granting PPL's Petition to Withdraw would protect the status quo.

RESA's opposition to PPL's Petition to Withdraw should be seen for what it is: an improper attempt to stay or delay implementation of CAP-SOP. Had RESA wanted this result it could have sought a stay with the Commonwealth Court. It did not do so.

CAUSE-PA supports full implementation of the CAP-SOP effective June 1, 2017 consistent with the Commission's DSP IV Order and its Order denying RESA's request for reconsideration. As the Commission noted in its January 26, 2017 Order on Reconsideration, "**the overwhelming substantial evidence presented in this proceeding demonstrated that there has been significant harm to both CAP shopping customers and non-CAP residential customers who pay the costs of the program**" from unrestricted CAP shopping, and that "**CAP-SOP proposal was the best of several alternatives provided on the record of this proceeding to address the unreasonable ramifications of unrestricted shopping by PPL's CAP customers.**" *Petition of PPL Electric Utilities Corporation for Approval of a Default Service Program and Procurement Plan for the Period of June 1, 2017 Through May 31, 2017*, Docket No. P-2016-2526627 at 18 (Opinion and Order, January 26, 2017) (emphasis added).

The Commission should grant PPL's May 8, 2017 Petition for Leave to Withdraw its Petition to Amend thereby putting all Parties where they reasonably expected to be after the Commission's *DSP IV* Order, thus avoiding any ambiguity about the June 1, 2017 starting date for CAP-SOP.

Respectfully submitted,



Patrick M. Cicero
Counsel for CAUSE-PA

CC: Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PPL Electric Utilities Corporation :
for Approval of a Default Service Program : Docket No. P-2016-2526627
and Procurement Plan for the Period of June :
1, 2017 through May 31, 2021 :

CERTIFICATE OF SERVICE

I hereby certify that on this day, May 16, 2017, I have served copies of forgoing letter via email and first-class mail upon the following persons, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

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Dated: May 16, 2017