January 24, 2022

Office of the Secretary,

c/o Open Records Officer

PA Public Utility Commission

400 North Street

Harrisburg, PA 17120

**Right to Know Requests**

Open Records Officer:

Enclosed please find my Right-To-Know Law ("RTKL") requests numbered #1, #2, #3 and #4 pursuant to the Pennsylvania Right-To-Know Law (“RTKL”), 65 P.S. §§ 67.101, et seq. Section 901 of the RTKL, 65 P.S.  § 67.901, provides that an agency must provide an initial response within five business days, or in this case by October 17, 2021.

The Pennsylvania Public Utility Commission has five business days to respond in writing to: (1) grant the request; (2) deny the request, citing the legal basis for the denial or partial denial; or (3) invoke a thirty calendar day extension for certain reasons. Thank you in advance for your consideration on these most important matters.

Respectfully submitted,

Eric Epstein

4100 Hillsdale Road

Harrisburg, PA 17112

cc:

Renardo Hicks, Chief Counsel

Seth A. Mendelsohn, Executive Director

Enclosure: Exhibit, A.

**Background:**

**Re: Notification Regarding the Transfer of Exelon Generation Company, LLC, dated March 26, 2021. (Attachment)**

**Right to Know Request, #1:**

Please provide all correspondence, records, requests, e-mails and communications, including notes of communications, legal opinions and work notes between the Pennsylvania Public Utilities (“PUC”) Commission and/or representatives from the PUC and/or any of their representatives, and PECO, Exelon or Spin Co regarding the Spin transaction identified in the enclosed Exhibit A.

**Right to Know Request, #2:**

Please provide all correspondence, records, requests, e-mails and communications, including notes of communications, legal opinions and work notes between Pennsylvania Public Utilities Commission and/or representatives from the Department of Environmental Protection, the Federal Energy Regulatory Commission, the Nuclear Regulatory Commission, the Susquehanna River Basin Commission, and the U.S. Army Corps of Engineers regarding the Spin transaction identified in the enclosed Exhibit, A.

**Right to Know Request, #3:**

The Notification appears to be silent on parental guarantees for decommissioning costs and offers no additional bonding, guarantees or sureties from the  "new ultimate parent company." "Control", unless stated elsewhere appears to be a statement that "liability" remains with PECO or Exelon.

Commission approval is also required prior to transactions

involving a 'change in control' of a Pennsylvania utility or

 its parent. (6) As noted above, there will be no change in

ownership or control of Exelon or  PECO, PECO is not

merging with any other entity, and no utility property

will be transferred.

Please provide all external and internal records, requests, e-mails and communications, including notes of communications, legal opinions and work notes among and between the Pennsylvania Public Utilities Commission and/or representatives from the the Bureau of Investigation and Enforcement (“BI&E”), Law Bureau, Office of Executive Director and/or any of their representatives, and PECO, Exelon or Spin Co regarding the Spin transaction identified in the enclosed Exhibit A, and its impact on the Nuclear Decommissioning Adjustment Clause and the conditions associated with the Unicom Settlement.

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**Right to Know Request, #4:**

"The Generation Spin Transaction will have no impact on PECO’s service, rates,  governance, employment levels, or day-to-day operations.”

4a) Please provide Preliminary Findings and/or Final Conclusions from the PUC’s investigation in the above referenced review of the Spin Transaction’s impact on  PECO’s service, rates,  governance, employment levels, or day-to-day operations.

4b) Please provide all external and internal records, requests, e-mails and communications, including notes of communications, legal opinions and work notes among and between the Pennsylvania Public Utilities Commission and/or representatives from the, Bureau of Investigation and Enforcement (“BI&E”), Office of Executive Director and/or any of their representatives, and PECO, Exelon or Spin Co regarding the Spin transaction impact on  PECO’s service, rates,  governance, employment levels, or day-to-day operations.

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