## **BURKE VULLO REILLY ROBERTS**

ATTORNEYS AT LAW

1460 Wyoming Avenue Forty Fort, PA 18704 Phone (570) 288-6441 + Fax (570) 288-4598

> Formerly Burke & Burke Thomas F. Burke, Sr. (1932-1972)

www.bvrrlaw.com

JOSEPH L. VULLO jlvullo@bvrrlaw.com

April 9, 2018

### via Electronic Filing

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

RE:

PA PUC v. Duquesne Light Company

Docket No. R-2018-3000124

Dear Secretary Chiavetta:

Please accept for filing the Community Action Association of Pennsylvania's Petition to Intervene in the above-referenced matter. A copy of this filing was served in accordance with the attached Certificate of Service.

Respectfully submitted,

Joseph L. Vullo

JLV/jar encl.

cc:

All Parties of Record

# BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission

Docket No.

R-2018-3000124

Duquesne Light Company

V.

# COMMUNITY ACTION ASSOCIATION OF PENNSYLVANIA'S PETITION TO INTERVENE

NOW COMES, the Community Action Association of Pennsylvania (CAAP), by and through counsel, Joseph L. Vullo, Esquire, and petitions to intervene in the above-captioned matter, averring as follows:

- 1. The Petitioner, Community Action Association of Pennsylvania, is a statewide association representing Pennsylvania's community action agencies that provide anti-poverty planning and community development activities for low-income communities and services to individuals and families.
- 2. For more than 30 years, one of CAAP's primary missions has been to represent the energy interests of low-income citizens in proceedings before the Pennsylvania Public Utility Commission and as such, CAAP has a direct and substantial interest in this proceeding that cannot be adequately represented by any other party.
- 3. CAAP is comprised of forty-two member agencies including agencies in the Duquesne Light Company's service areas. Specifically, the agencies listed in Exhibit A attached are members of CAAP and customers of Duquesne Light Company.
- 4. CAAP seeks permission to intervene in Duquesne Light Company's request for a base rate increase pursuant to the above-captioned docket number.
- 5. CAAP has intervened and has been granted intervention and active party status in prior rate and/or acquisition cases before the Pennsylvania Public Utility Commission including

but not limited to CAAP being granted intervenor status in the rate case filed by this Company in 2013. (R-2013-2372129).

- 6. CAAP seeks permission to intervene in Duquesne Light Company's request for a base rate increase to examine the effect of the proposed rate increase on their customers, particularly low income customers.
- 7. CAAP is also intervening to investigate whether the Company's universal service programs are appropriately funded and available and if those programs will be appropriately funded and available if the proposed rate increase is granted.
- 8. CAAP's participation as an active party in this proceeding is required to protect its substantial interests and the substantial interests of the low income citizens it represents in ensuring that utility rates remain affordable to its clients. Accordingly, CAAP's participation in this proceeding will serve the public interest.
- 9. Because CAAP represents low-income citizens in the Company's service areas, the interests of its clients are not protected by any other party to this action.

#### **POSITIONS**

- 10. CAAP takes no position at this time regarding the Company's request for rate increase but CAAP's participation in this proceeding is, in part, to study the effect of the proposed rate increase on the Company's low-income customers and whether the Company's universal service programs will be appropriately funded and available.
- 11. There is a substantial public interest in ensuring that the Company's universal service programs are appropriately funded and available and the effect, if any, on those programs if the proposed rate increase is approved.

#### REQUEST FOR RELIEF

WHEREFORE, CAAP respectfully requests that the Commission:

- 1. Receive for filing and docket this Petition to Intervene and order that CAAP be an active party to such proceedings and be placed on all services lists.
- 2. Order that the following individuals be designated as CAAP's recipients for service:

Joseph L. Vullo, Esquire 1460 Wyoming Avenue Forty Fort, PA 18704

Phone:

(570) 288-6441

Fax:

(570) 288-4598

e-mail: jlvullo@bvrrlaw.com

Counsel for CAAP

- 3. Order that each party to the proceedings provide CAAP's designated recipient with copies of all papers filed.
- 4. Order that public hearings be conducted in Duquesne Light Company's service territories.
  - 5. Grant such other relief as the Commission may deem necessary and proper.

Respectfully submitted,

JOSEPH L. VULLO, ESQUIRE

I.D. No. 41279

1460 Wyoming Avenue

Forty Fort, PA 18704

(570) 288-6441

e-mail: jlvullo@aol.com

Attorney for Community Action Association

of Pennsylvania

## **EXHIBIT A**

# COMMUNITY ACTION ASSOCIATION OF PENNSYLVANIA MEMBER AGENCIES

Allegheny Co. Department of Human Services

Community Services Program of Beaver County

Pittsburgh Community Services, Inc.

### **VERIFICATION**

I, SUSAN A. MOORE, Executive Director of Community Action Association of Pennsylvania, hereby verify that I am authorized to execute this Verification and that the facts set forth in the foregoing Petition to Intervene are true and correct to the best of my knowledge, information and belief.

COMMUNITY ACTION ASSOCIATION OF PENNSYLVANIA

BY:

SUSAN A. MOORE, Executive Director

Dated: 4.5.18

# BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission

v.

Docket No.

R-2018-3000124

**Duquesne Light Company** 

#### **CERTIFICATE OF SERVICE**

The undersigned certified that he served a copy of the foregoing Community Action Association of Pennsylvania's Petition to Intervene upon the following participants this 9<sup>th</sup> day of April, 2018, via first-class mail:

MICHAEL W. GANG ESQUIRE ANTHONY D. KANAGY ESQUIRE POST & SCHELL PC 12TH FLOOR 17 NORTH SECOND STREET HARRISBURG PA 17101-1601

DAVID T. FISFIS ESQUIRE TISHEKIA E. WILLIAMS ESQUIRE MICHAEL ZIMMERMAN ESQUIRE DUQUESNE LIGHT COMPANY 411 SEVENTH AVENUE PITTSBURGH PA 15219

TANYA J. McCLOSKEY ESQUIRE DARRYL A. LAWRENCE ESQUIRE LAUREN M. BURGE ESQUIRE HAYLEY E. DUNN ESQUIRE OFFICE OF CONSUMER ADVOCATE 555 WALNUT STREET 5TH FLOOR FORUM PLACE HARRISBURG PA 17101 DANIEL G. ASMUS ESQUIRE JOHN R. EVANS OFFICE OF SMALL BUSINESS ADVOCATE 300 NORTH SECOND STREET SUITE 202 HARRISBURG PA 17101

GINA L. MILLER ESQUIRE
JOHN M. COOGAN ESQUIRE
PA PUBLIC UTILITY COMMISSION
BUREAU OF INVESTIGATION &
ENFORCEMENT
PO BOX 3265
HARRISBURG PA 17105-3265

JOSEPH L. VULLO, ESQUIRE

I.D. No. 41279

1460 Wyoming Avenue Forty Fort, PA 18704

(570) 288-6441

e-mail: jlvullo@aol.com

Attorney for Community Action Association

of Pennsylvania