



April 30, 2020

Via E-File

Secretary Rosemary Chiavetta
Pennsylvania Public Utility Commission
Commonwealth Keystone Building, Second Floor
400 North Street
Harrisburg, PA 17120

Re: Petition of Duquesne Light Company for Approval of a Default Service Program for the Period of June 1, 2021 through May 31, 2025, Docket No. P-2020-3019522

Petition to Intervene of CAUSE-PA

Dear Secretary Chiavetta,

Attached for filing, please find a Petition to Intervene of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA) in the above referenced matter.

An electronic copy of this filing will be circulated in accordance with the attached Certificate of Service, and consistent to the Commission's March 16 Emergency Order at Docket M-2020-3019262.

Respectfully submitted,
PENNSYLVANIA UTILITY LAW PROJECT
Counsel for CAUSE-PA

A handwritten signature in blue ink that reads "Elizabeth R. Marx". The signature is written in a cursive style and is positioned above a solid horizontal line.

Elizabeth R. Marx, Esq.
717-710-3825 (direct)
267-240-3089 (cell)
emarxpulp@palegalaid.net

CC: Per Certificate of Service

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of Duquesne Light Company for :
Approval of a Default Service Program for the : Docket No. P-2020-3019522
Period of June 1, 2021 through May 31, 2025 :

**Petition to Intervene of the Coalition for Affordable Utility Services
and Energy Efficiency in Pennsylvania**

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 Petition to Intervene in the captioned proceeding, pursuant to the provisions of the Rules of Practice and Procedure of the Pennsylvania Public Utility Commission (“PUC” or “Commission”), 52 Pa. Code §§ 5.71-5.76, and states as follows in support thereof:

1. On April 20, 2020, Duquesne Light Company (“Duquesne” or “the Company”) filed a Petition for Approval of their Default Service Programs for the period commencing June 1, 2021 through May 31, 2025 (Petition).

2. On April 28, 2020, the Commission issued a Pre-Conference Hearing Notice, scheduling a pre-hearing conference for 10:00 am on June 12, 2020 before Deputy Chief Administrative Law Judge Mark A. Hoyer.

3. On April 30, 2020, Judge Hoyer issued a Prehearing Conference Order requiring, in relevant part, that parties file a Petition to Intervene on or before June 5, 2020 and a Prehearing Conference Memorandum on or before June 10, 2020.

4. Eligibility to intervene in Commission proceedings is governed by 52 Pa. Code § 5.72. This section provides, in relevant part, that “[a] petition to intervene may be filed by a person claiming a right to intervene or an interest of such nature that intervention is necessary or appropriate to the administration of the statute under which the proceeding is brought.” 52 Pa. Code § 5.72(a).

5. Section 5.72 further provides that the right or interest may be one “which may be directly affected and which is not adequately represented by existing participants, and as to which the petitioner may be bound by the action of the Commission in the proceeding.” 52 Pa. Code. § 5.72(a)(2).

6. Even though Section 5.72 speaks of the rights of a “person” to intervene, the Commonwealth Court has consistently stated that “an association may have standing as a representative of its members . . . as long as an organization has at least one member who has or will suffer a direct, immediate, and substantial injury to an interest as a result of the challenged action, [i.e., is aggrieved, the organization] has standing.” Energy Cons. Council of Pa. v. Pa. PUC, 995 A.2d 465, 476 (Pa. Commw. Ct. 2010) (alteration in original) (citing Tripps Park v. Pa. PUC, 415 A.2d 967 (Pa. Commw. Ct. 1980); Parents United for Better Schools v. School Dist. of Phila., 614 A.2d 689 (Pa. Commw. Ct. 1994)).

7. CAUSE-PA is an unincorporated association of low and moderate income individuals that advocates on behalf of its members to enable consumers of limited economic means to connect to and maintain affordable water, electric, heating and telecommunication services.

8. CAUSE-PA membership is open to low and moderate income individuals residing in the Commonwealth of Pennsylvania who are committed to the goal of helping economically

vulnerable households to maintain affordable access to utility services and achieve economic independence and family well-being.

9. CAUSE-PA is located, c/o the Pennsylvania Legal Aid Network, at 118 Locust Street, Harrisburg, PA 17101.

10. CAUSE-PA has interests in the impact that the proposed Default Service Plan will have on low and moderate income residential customers. These interests are not adequately represented by other participants. Specifically, CAUSE-PA has an interest in and intends to investigate the following issues through the course of this proceeding:

- a. Duquesne's proposed EV-TOU Pilot (Duquesne Petition at 47-53);
- b. Duquesne's proposed Solar PPA (Duquesne Petition at 54-58);
- c. Duquesne's proposed Standard Offer Customer Referral Program ("SOP") (Duquesne's Petition at 18-19);
- d. Duquesne's Customer Assistance Program ("CAP") Customer Shopping proposal (Duquesne Petition at 19-21); and
- e. Any other issues that may arise through the course of litigation that may impact the accessibility and affordability of default service for low income consumers.

11. Each of the forgoing matters must be thoroughly reviewed through discovery and a hearing to ensure that the Company's economically vulnerable customers are not harmed and any approved programs are in the public interest.

12. CAUSE-PA was granted intervenor status and actively participated in prior proceedings relating to Duquesne's Petitions for Approval of its Default Service Programs.

13. Several members of CAUSE-PA are customers of Duquesne and will be directly affected by the outcome of this proceeding.¹ CAUSE-PA therefore has standing to intervene because at least one member has or will suffer a direct, immediate, and substantial injury to an interest as a result of this proceeding. See Energy Cons. Council of Pa., 995 A.2d at 476.

14. CAUSE-PA is represented in this proceeding by:

Elizabeth R. Marx, Esquire
John Sweet, Esquire
Ria Pereira, Esq.
Pennsylvania Utility Law Project
118 Locust Street
Harrisburg, PA 17101
Telephone: 717-236-9486
Facsimile: 717-233-4088
E-mail: pulp@palegalaid.net

15. Counsel for CAUSE-PA consents to the service of documents by electronic mail to pulp@palegalaid.net, as provided in 52 Pa. Code § 1.54(b)(3).

¹ Dorothy Young, Anastasia Stratigos, and Rochelle Jackson are customers of Duquesne and members of CAUSE-PA.

WHEREFORE, CAUSE-PA respectfully requests that the Honorable Mark A. Hoyer:

- (1) enter an order granting CAUSE-PA full status as an intervenor in this proceeding with active party status; and
- (2) grant such other relief as is just and appropriate.

Respectfully submitted,
PENNSYLVANIA UTILITY LAW PROJECT
Counsel for CAUSE-PA

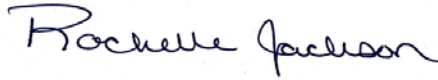


Elizabeth R. Marx, Esq., PA ID: 309014
John W. Sweet, Esq. PA ID: 320182
Ria M. Pereira, Esq., PA ID: 316771
118 Locust Street
Harrisburg, PA 17101
Tel.: 717-236-9486 / Fax: 717-233-4088
pulp@palegalaid.net

April 30, 2020

VERIFICATION

I, **Rochelle Jackson**, a member of the Executive Committee of the Coalition for Affordable Utility Services and Energy Efficiency (“CAUSE-PA”), on behalf of CAUSE-PA, hereby state that the facts contained in the foregoing pleading are true and correct to the best of my knowledge, information and belief, that I am duly authorized to make this Verification, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 10 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).



Rochelle Jackson
On behalf of the Executive Committee of
the Coalition for Affordable Utility Services
and Energy Efficiency in Pennsylvania
(CAUSE-PA)

Date: April 30, 2020

CERTIFICATE OF SERVICE

I hereby certify I have on this day served copies of the **Petition to Intervene of CAUSE-PA** in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party) and consistent with the Commission’s March 16 Emergency Order at Docket M-2020-3019262.

VIA EMAIL

Honorable Mark A. Hoyer Deputy Chief Administrative Law Judge Pennsylvania Public Utility Commission Commonwealth Keystone Building 400 North Street, 2 nd Floor Harrisburg, PA 17120 mhoyer@pa.gov	Tishekia E. Williams, Esq. Michael Zimmerman, Esq. Emily Farah, Esq. Duquesne Light Company 411 Seventh Avenue Pittsburgh, PA 15219 twilliams@duqlight.com mzimmerman@duqlight.com efarah@duqlight.com
Michael W. Gang, Esq. Anthony D. Kanagy, Esq. Post & Schell, PC 17 North Second Street, 12 th Floor Harrisburg, PA 17101-1601 mgang@postschell.com akanagy@postschell.com	Tanya McCloskey, Esq. Aron Beatty, Esq. Office of Consumer Advocate 555 Walnut Street Forum Place, 5th Floor Harrisburg, PA 17101-1923 TMcCloskey@paoca.org abeatty@paoca.org
John Evans, Small Business Advocate Office of Small Business Advocate 555 Walnut Street, 1 st Floor Harrisburg, Pennsylvania 17101 jorevan@pa.gov	Richard Kanaskie, Esquire Bureau of Investigation & Enforcement Pennsylvania Public Utility Commission PO Box 3265 Harrisburg PA 17105-3265 rkanaskie@pa.gov



Elizabeth R. Marx, Esq.
Pennsylvania Utility Law Project
Counsel for CAUSE-PA
118 Locust Street, Harrisburg, PA 17101
717-710-3825 / emarxpulp@palegalaid.net

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