



April 26, 2021

*Via Electronic Filing*

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

Re: **Pennsylvania Public Utility Commission v. Duquesne Light Company**  
**Docket No. R-2021-3024750**

*Petition to Intervene and Answer of CAUSE-PA*

Dear Secretary Chiavetta:

Please find the attached **Petition to Intervene and Answer of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA)** in the above-referenced proceeding.

Pursuant to the Commission's Emergency Order issued on March 20, 2020, and as indicated on the attached Certificate of Service, service on the parties was accomplished by email only.

Respectfully Submitted,

Ria M. Pereira, Esq.  
*Counsel for CAUSE-PA*

CC: Certificate of Service

**BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission :  
 :  
 v. : Docket No. R-2021-3024750  
 :  
 Duquesne Light Company :

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

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**PENNSYLVANIA UTILITY LAW PROJECT**

*Counsel for CAUSE-PA*

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**April 26, 2021**

Pursuant to the provisions of the Rules of Practice and Procedure of the Pennsylvania Public Utility Commission (PUC or Commission), 52 Pa. Code §§ 5.61-5.76, the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA), through its counsel at the Pennsylvania Utility Law Project, hereby petitions the Pennsylvania Public Utility Commission to intervene and files its Answer in the above-captioned proceeding. In support thereof, CAUSE-PA states as follows:

1. On April 16, 2021, Duquesne Light Company (Duquesne Light or the Company) submitted a rate filing, Supplement No. 25 to Tariff Electric – Pa. P.U.C. No. 25, which proposes a general increase in electric distribution rates of approximately \$115 million. The monthly bill for an average residential customer who uses 600 kWh of electricity would increase by \$7.73 from \$100.12 to \$107.85, or by 7.72%.

**Petition to Intervene**

2. Eligibility to intervene in Commission proceedings is governed by 52 Pa. Code § 5.72, which 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).

3. 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).

4. 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. 2010) (alteration in original) (citing Tripps Park v. Pa. PUC, 415 A.2d 967 (Pa. Commw. 1980); Parents United for Better Schools v. School District of Philadelphia, 646 A.2d 689 (Pa. Commw. 1994)).

5. 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.

6. CAUSE-PA membership is open to moderate and low income individuals residing in the Commonwealth of Pennsylvania who are committed to the goal of helping low income families maintain affordable access to utility services and achieve economic independence.

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

8. CAUSE-PA has a significant interest in the impact that Duquesne Light’s proposed rate increase will have on moderate and low income residential customers. These interests are not adequately represented by other participants.

9. Members of CAUSE-PA are located within Duquesne Light’s service territory and will be directly affected by the outcome of this proceeding. Particularly, this proceeding will affect the price that CAUSE-PA members pay for electric service, as well as the reliability and quality of that service.

10. CAUSE-PA has standing to intervene because its members have 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.

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

Ria M. Pereira, Esquire  
Elizabeth R. Marx, Esquire  
John W. Sweet, Esquire  
Lauren N. Berman, Esquire  
**Pennsylvania Utility Law Project**  
118 Locust Street  
Harrisburg, PA 17101  
Telephone: 717-236-9486  
Facsimile: 717-233-4088  
E-mail: [pulp@palegalaid.net](mailto:pulp@palegalaid.net)

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

### Answer

13. CAUSE-PA has preliminarily reviewed Duquesne Light's rate filing and objects to the Company's request on the grounds that the proposed rate increase could result in unjust and unreasonable rates that would impose economic hardship on low and moderate income residential customers. This is especially true in light of the current pandemic, which has created widespread and deep economic hardship across the Commonwealth and has disproportionately impacted low income customers who already struggled to afford essential utility services.<sup>1</sup>

14. Continued delivery of safe, affordable electric service is of critical importance to the safety, welfare, and economic stability of all Pennsylvanians – particularly those with limited financial means. In recognition of this fact, the law requires that utility services be universally

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<sup>1</sup> See Economic Tracker by Opportunity Insights, <https://tracktherecovery.org/> (Pennsylvania's low income households have experienced profound rates of unemployment with the spread of COVID-19 that are significantly higher than the rates of unemployment faced by households with higher incomes.)

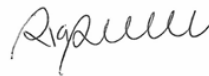
affordable, and that universal service programs be developed, maintained, and appropriately funded to ensure such affordability. See 66 Pa. C.S. § 2203(3), (8). Duquesne Light's general rate increase could have a disparate impact on households with limited economic means, and will undermine bill savings achieved through adoption of energy efficiency and conservation measures.

15. CAUSE-PA asserts that these matters, and any future modifications presented by intervening parties, must be thoroughly reviewed and investigated to ensure that all customers are able to access safe, affordable utility services within the Duquesne Light service territory.

WHEREFORE, CAUSE-PA respectfully requests that the Commission enter an Order granting CAUSE-PA full status as an intervener in this proceeding with active party status.

Respectfully submitted,

**PENNSYLVANIA UTILITY LAW PROJECT**  
*Counsel for CAUSE-PA*



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Date: April 26, 2021

**Verification**

I, **Elizabeth R. Marx**, legal counsel for the Coalition for Affordable Utility Services and Energy Efficiency (“CAUSE-PA”), on behalf of CAUSE-PA, hereby states that the facts contained in the foregoing pleadings 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 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).



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Elizabeth R. Marx, Esq.  
*On behalf of the Coalition for Affordable Utility  
Services and Energy Efficiency (“CAUSE-PA”)*

Date: April 26, 2021





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Respectfully Submitted,  
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