



Andrew Karas, Esq.
Staff Attorney
akaras@fairshake-els.org
600 Superior Avenue, Suite 1300
Cleveland, OH 44114

May 14, 2021

Via Electronic Filing
Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Docket No. R-2021-3024750, Duquesne Light Company Supplement No. 25 to Tariff Electric – Pa. P.U.C. 25

Dear Secretary Chiavetta:

Please find enclosed a **Petition to Intervene and Answer of the Natural Resources Defense Council (NRDC)** for filing in the above-referenced proceeding. Parties are being served as indicated in the attached certificate of service.

Please contact me if you have any questions concerning this matter.

Thank you very much.

Sincerely,

Andrew J. Karas
Andrew J. Karas, Esq.
Counsel for NRDC

cc: Per certificate of service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Duquesne Light Company Supplement No. :
25 to Tariff Electric – Pa. P.U.C. 25 : Docket No. R-2021-3024750
:

**PETITION TO INTERVENE AND ANSWER OF THE
NATURAL RESOURCES DEFENSE COUNCIL**

Mark C. Szybist
Pennsylvania Bar ID # 94112
Natural Resources Defense Council
1152 15th Street NW, Suite 300
Washington, DC 20005
Phone: (570) 447-4019
Email: mszybist@nrdc.org

Andrew J. Karas
Pennsylvania Bar ID # 321231
Sophia Al Rasheed
Pennsylvania Bar ID # 325196
Fair Shake Environmental Legal Services
600 Superior Avenue East
Cleveland, OH 44114
Phone: (234) 255-5455
akaras@fairshake-els.org
salrasheed@fairshake-els.org

DATE: May 14, 2021

Pursuant to 52 Pa. Code §§ 5.61 – 5.76, the Natural Resources Defense Council (“NRDC”) hereby petitions the Commission to intervene in these proceedings and files its Answer. In support thereof, NRDC states as follows:

1. NRDC is a membership-based environmental organization and not-for-profit corporation with more than 16,900 members in Pennsylvania and more than 1,600 in the service area of Duquesne Light Company (“Duquesne Light” or “the Company”). Since 1970, NRDC’s attorneys, scientists, and other environmental specialists have worked to protect the world’s natural resources, public health, and the environment. NRDC’s top institutional priority is building an equitable clean energy future in which the pollution impacts of extracting and combusting fossil fuels are minimized, if not eliminated.

2. On April 16, 2021, the Company submitted a rate filing, Supplement No. 25 to Tariff Electric – Pa. P.U.C. No. 25, which proposes, *inter alia*, a general increase in electric distribution rates of \$115 million.

3. As part of its request for a rate increase, the Company proposes to recover roughly \$5.3 million in what the Company claims are incremental uncollectible expenses resulting from the Commission’s COVID-19 moratorium on utility shutoffs, as well as \$4.2 million in extraordinary, nonrecurring incremental COVID-19 related costs.¹

4. Through its rate filing the Company proposes to establish new COVID-19 related programs, including establishing tariff riders to assist commercial customers in the wake of the pandemic,² and instituting a debt relief program for residential customers.³

¹ Duquesne Light Stmt. No. 2, 23-25.

² Duquesne Light Stmt. No. 5.

³ Duquesne Light Stmt. No. 7, 11-13.

5. The rate filing additionally proposes several new Transportation Electrification initiatives, including, *inter alia*, pilot studies for the installation of make-ready infrastructure to support residential, commercial, and private fleet charging of electric vehicles.⁴

Petition to Intervene

6. 52 Pa. Code § 5.72 provides that a party’s intervention in a proceeding is appropriate where that party possesses “[a]n interest 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[,]” or otherwise has “[a]nother interest of such nature that participation of the petitioner may be in the public interest.”

7. During the Commission’s Utility Service Termination Moratorium proceeding, NRDC provided comments noting the need for strong protections for distressed customers and the need for equitable approaches to arrearage management and cost recovery.⁵ These concerns are implicated by the proposals made in the instant proceeding for the Company’s proposed recovery of pandemic-related expenses and Company’s proposal to establish new customer relief programs.

8. NRDC has previously expended organizational resources to further the equitable expansion of transportation electrification both across Pennsylvania and specifically within the Company’s service territory, including by providing testimony on

⁴ DLC Stmt. No. 8.

⁵ *Public Utility Service Moratorium Proclamation of Disaster Emergency – COVID-19*, Docket No. M-2020-3019244, Comments of the Natural Resources Defense Council (February 16, 2021).

transportation electrification efforts in the Company's previous rate case and its previous default service proceeding.⁶

9. NRDC's interests in this proceeding are unique from are not adequately represented by any other party.

10. NRDC's participation in this proceeding will benefit the public interest.

11. NRDC will be represented in this proceeding by:

Mark C. Szybist
Pennsylvania Bar ID # 94112
Natural Resources Defense Council
1152 15th Street NW, Suite 300
Washington, DC 20005
Phone: (570) 447-4019
Email: mszybist@nrdc.org

Andrew J. Karas
Pennsylvania Bar ID # 321231
Sophia Al Rasheed
Pennsylvania Bar ID # 325196
Fair Shake Environmental Legal Services
600 Superior Avenue East
Cleveland, OH 44114
Phone: (234) 255-5455
akaras@fairshake-els.org
salrasheed@fairshake-els.org

12. Counsel for NRDC consents to the service of documents exclusively by electronic mail to the addresses for the above-listed counsel, as provided in 52 Pa. Code 1.54(b)(3).

Answer

13. NRDC is continuing to review the Company's filings. NRDC believes that numerous issues in this case will affect the interests of NRDC's members and NRDC's

⁶ See P.U.C. Docket Nos. R-2018-3000124; P-2020-3019522

institutional goals of expanding the use of energy efficiency, renewable energy, equitable access to transportation electrification, and building an equitable clean energy future.

14. Principally, NRDC intends to address the adequacy of the scope and design of the Company's proposed transportation electrification initiatives. NRDC also intends to address the adequacy of customer protections contained in the Company's proposed COVID-19 arrearage management approaches.

15. NRDC reserves the right to address other issues of concern related the Company's rate filings, including but not limited to the justness and reasonableness of the amount of the proposed general rate increase, the Company's proposal for a pilot deployment of a subscription rate structure, and proposed modifications to rate structures for customer-generators.

WHEREFORE, NRDC respectfully requests that the Commission enter an Order granting NRDC full status as an intervenor in this proceeding.

Respectfully submitted this 14 of May, 2021

/s/ Andrew J. Karas

Andrew J. Karas (Pa. Bar # 321231)
Sophia Al Rasheed (Pa. Bar # 325196)
Fair Shake Environmental Legal Services
600 Superior Ave. East, Suite 1300
Cleveland, OH 44114
Phone: (234) 255-5455
akaras@fairshake-els.org
salrasheed@fairshake-els.org

Mark C. Szybist (Pa. Bar # 94112)
Natural Resources Defense Council
1152 15th Street NW, Suite 300
Washington, DC 20005
Phone: (570) 447-4019
Email: mszybist@nrdc.org

CERTIFICATE OF SERVICE

Duquesne Light Company Supplement :
No. 25 to Tariff Electric – Pa. P.U.C. 25 : Docket No. R-2021-3024750
:

I hereby certify that this day I served a copy of the foregoing *Petition to Intervene and Answer* upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code § 1.54.

Via Electronic Mail only:

Tishekia E. Williams, Esquire
Michael Zimmerman, Esquire
Emily Farah, Esquire
Duquesne Light Company
411 Seventh Avenue
Pittsburgh, PA 15219
twilliams@duqlight.com
efarah@duqlight.com

Scott B. Granger, Esquire
Bureau of Investigation & Enforcement
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120
sgranger@pa.gov

Christy M. Appleby, Esq.
Phillip D. Demanchick, Esq.
David T. Evrard, Esq.
Aaron J. Beatty, Esq.
Office of Consumer Advocate
555 Walnut Street
5th Floor Forum Place
Harrisburg, PA 17101
Cappleby@paoca.org
PDemanchick@paoca.org
Devrard@paoca.org
ABeatty@paoca.org

Michael W. Gang, Esquire
Anthony D. Kanagy, Esquire
Post & Schell, P.C.
17 North Second Street
Harrisburg, PA 17101-1601
mgang@postschell.com
akanagy@postschell.com

Sharon E. Webb, Esquire
Office of Small Business Advocate
555 Walnut Street
1st Floor, Forum Place
Harrisburg, PA 17120
swebb@pa.gov

Elizabeth R. Marx, Esquire
John W. Sweet, Esquire
Ria Pereira, Esquire
Pennsylvania Utility Law Project
118 Locust Street
Harrisburg, PA 17101
pulp@palegalaid.net

Joseph L. Vullo, Esq.
Burke Vullo Reilly Roberts
15460 Wyoming Avenue
Forty Fort, PA 18704
jvullo@bvrrlaw.com

Date: 5/14/21

/s/ Andrew J. Karas
Andrew J. Karas, Esquire