



March 4, 2024

VIA eFILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

Re: Petition of PECO Energy Company for Approval of Its Default Service Program for the Period from June 1, 2025 through May 31, 2029 Docket No. P-2024-3046008

Dear Secretary Chiavetta:

Enclosed please find the Certificate of Service evidencing service upon the parties of record of the Petition to Intervene of TURN and CAUSE-PA in the above-captioned proceeding. If you have any questions, please do not hesitate to contact me.

Sincerely,

/s/ Daniela Rakhlina-Powsner
Daniela Rakhlina-Powsner

Counsel for TURN and CAUSE-PA

Enc.

Cc: Service list

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PECO Energy Company for :
Approval of Its Default Service Program for : P-2024-3046008
the Period From June 1, 2025 Through :
May 31, 2029 :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the Petition to Intervene of TURN and CAUSE-PA upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code §1.54.

VIA EMAIL

Brandon J. Pierce, Esq.
Anthony Gay, Esq.
Jack Garfinkle, Esq.
PECO Energy Company
2301 Market Street S23-1
Philadelphia, PA 19103
brandon.pierce@exeloncorp.com
Anthony.gay@exeloncorp.com
Jack.garfinkle@exeloncorp.com

Barrett Sheridan, Esquire
Andrew J Zerby
Office of Consumer Advocate
555 Walnut Street
5th floor, Forum Place
Harrisburg, PA 17101-1923
bsheridan@paoca.org
azerby@paoca.org

Kenneth M. Kulak, Esquire
Anthony C. DeCusatis, Esquire
Catherine G. Vasudevan, Esquire
Brooke E. McGlinn, Esquire
Morgan, Lewis & Bockius
1701 Market Street
Philadelphia, PA 19103
ken.kulak@morganlewis.com
anthony.decusatis@morganlewis.com
catherine.vasudevan@morganlewis.com
brooke.mcglinn@morganlewis.com

NazAarah Sabree
Office of Small Business Advocate
300 North Second Street, Suite 202
Harrisburg, Pennsylvania 1710
ra-sba@pa.gov

Richard Kanaskie, Esquire
Director and Chief Prosecutor
Bureau of Investigation & Enforcement
Pennsylvania Public Utility Commission
PO Box 3265
Harrisburg PA 17105-3265
rkanaskie@pa.gov

Charis Mincavage, Esq.
Adeolu A Bakare, Esq.
Jo-Anne S. Thompson
McNees Wallace & Nurick LLC
100 Pine Street
P.O. Box 1166
Harrisburg, Pennsylvania 17108
cmincavage@mcneeslaw.com
abakare@mcneeslaw.com
jthompson@mcneeslaw.com

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

Joseph Otis Minott, Esq.
Ernest Logan Welde, Esq.
Devin McDougall, Esq.
Clean Air Council
135 S. 19th Street, Suite 300
Philadelphia, PA 19103
Counsel for Environmental Stakeholders
joe_minott@cleanair.org
lwelde@cleanair.org
dmcdougall@earthjustice.org

James H. Laskey
Becky Merola
Norris McLaughlin, P.A.
P.O. Box 5933
400 Crossing Boulevard, 8th Floor
Bridgewater, NJ 08807-5933
jlaskey@norris-law.com
becky.merola@calpinesolutions.com
Counsel for Calpine Retail Holdings, LLC

Karen O. Moury, Esq.
Deanne M. O'Dell, Esq.
Eckert Seamans Cherin & Mellott, LLC
213 Market Street, 8th Fl.
Harrisburg, PA 17101
kmoury@eckertseamans.com
dodell@eckertseamans.com

John F. Lushis, Jr.
Norris McLaughlin, P.A.
515 W. Hamilton Street, Suite 502
Allentown, Pa 18101
Counsel For Calpine Retail Holdings, LLC
jlushis@norris-law.com

Gregory L. Peterson
Kevin Blake
Thomas Puchner
201 West Third Street, Suite 205
Jamestown, NY 14701-4907
Counsel for StateWise
gpeterson@phillipslytle.com
kblake@phillipslytle.com
tpuchner@phillipslytle.com

Christopher O'Hera
Senior Vice President
Pjm Interconnection
2750 Monroe Boulevard
Audubon, Pa, 19403
Christopher.ohera@pjm.com

/s/ Daniela Rakhlina-Powsner
Daniela Rakhlina-Powsner, Esq. PA ID. 332206
Community Legal Services, Inc.
1424 Chestnut Street
Philadelphia, PA 19102
T: 215-981-3700
F: 267-765-6481

March 4, 2024

Counsel for TURN and CAUSE-PA

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Petition of PECO Energy Company for Approval :
of a Default Service Program for the Period of : Docket No. P-2024-3046008
June 1, 2025 through May 31, 2029 :**

**PETITION TO INTERVENE OF THE TENANT UNION REPRESENTATIVE
NETWORK AND THE COALITION FOR AFFORDABLE UTILITY SERVICES AND
ENERGY EFFICIENCY IN PENNSYLVANIA**

The Tenant Union Representative Network (“TURN”) and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (“CAUSE-PA,” together with TURN, “Intervenors”), through counsel Community Legal Services, Inc., hereby file this Petition to Intervene in the above-captioned proceeding, pursuant to the Rules of Practice and Procedure of the Pennsylvania Public Utility Commission (“PUC” or “Commission”), 52 Pa. Code §§5.71-5.76, and in support thereof, state as follows:

1. On February 2, 2024, PECO Energy Company (“PECO” or “the Company”) filed the Petition of PECO Energy Company for Approval of a Default Service Program for the Period of June 1, 2025 through May 31, 2029 (“DSP VI”), which was assigned this Docket No. P-2024-3046008.
2. The Commission’s Regulations provide 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. The Commission’s Regulations permit intervention by persons claiming “an 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.” 52 Pa. Code § 5.72(a)(2).

4. In Pennsylvania, an association may have standing as a representative of its members, provided the 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. PPL Electric Utilities Corporation’s Universal Service and Energy Conservation Plan for 2011-2013, Docket No. M-2010-2179796 (internal citations omitted).
5. The Commission has previously determined that a not-for-profit organization may have standing in a representational capacity, including both associations and not-for-profit corporations. PPL Electric Utilities Corporation’s Universal Service and Energy Conservation Plan for 2011-2013, Docket No. M-2010-2179796, Opinion and Order dated May 5, 2011 at 11.
6. Petitions to intervene shall be filed no later than the date fixed for filing protests as published in the Pennsylvania Bulletin except for good cause shown. 52 Pa. Code §5.74(b)(2). Intervenors timely submit this petition.
7. TURN is a not-for-profit advocacy organization composed of moderate- and low-income tenants, all either customers of or dependent on electricity service from PECO. In those capacities, they have a direct, immediate, substantial, and distinct interest in the impact of the proposed Default Service Plan (“DSP VI”).
8. TURN is located at 100 South Broad Street, Suite 800, Philadelphia, PA 19110.
9. CAUSE-PA is an unincorporated association of low-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. Many

CAUSE-PA members depend on electricity from PECO and therefore have a direct, immediate, substantial, and distinct interest in the impact of the proposed Default Service Plan (“DSP VI”).

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

11. Intervenors were parties in prior Commission proceedings involving PECO, including, but not limited to, the following:

- a. Petition of PECO Energy Company for Approval of its Default Service Plan (DSP V), Docket No. P-2020-3019290;
- b. In the Matter of PECO Energy Company Universal Service and Energy Conservation Plan for 2019-2024 Submitted in Compliance with 52 Pa. Code §§ 54.74 and 62.4, Docket No. M-2018-3005795;
- c. In the Matter of PECO Energy Company Universal Service and Energy Conservation Plan for 2016-2018 Submitted in Compliance with 52 Pa. Code §§54.74 and 62.4, Docket No. M-2015-2507139;
- d. Petition of PECO Energy Company for Approval of its Default Service Plan (DSP II), Docket No. P-2012-2283641, including appeal to Commonwealth Court and Petition for Allocatur to the Supreme Court of Pennsylvania; and
- e. In the Matter of PECO Energy Company Universal Services Three-Year Plan 2013-2015 Submitted in Compliance with 52 Pa. Code §54.74, Docket No. M-2012-2290911.

Intervenors have a continuing interest in the impact of PECO’s Default Service Program on moderate- and low-income residential customers.

12. Low- and moderate-income customers can be uniquely impacted by the market for competitive electricity and the rules for PECO's DSP and as a result, have an interest in PECO's default service policies and practices which is not adequately represented by other participants. TURN and CAUSE-PA's members would also be impacted by changes presented in this DSP, including, but not limited to, how supplier costs are presented to customers, time of use rates, and standard offer programs, and would be bound by the Commission's action in this proceeding

13. Intervenors are represented by:

Daniela Rakhlina-Powsner, Esquire
Robert W. Ballenger, Esquire
Joline R. Price, Esquire
Vikram A. Patel, Esquire
Community Legal Services, Inc.
1424 Chestnut Street
Philadelphia, PA 19102
Telephone: 215-981-3700
Facsimile: 267-765-6481
drakhlinapowsner@clsphila.org
rballenger@clsphila.org
jprice@clsphila.org
vpatel@clsphila.org

14. Counsel for Intervenors consent to the service of documents by electronic mail to the email addresses of counsel listed above, as provided in 52 Pa. Code §1.54(b)(3).

WHEREFORE, TURN and CAUSE-PA respectfully request that the Public Utility Commission enter an order granting TURN and CAUSE-PA full status as intervenors in this proceeding with active party status and grant such other relief as is just and appropriate.

Respectfully submitted,

/s/ Daniela Rakhlina-Powsner, Esq.

Daniela Rakhlina-Powsner, Esq. (Attorney ID: 332206)

Robert W. Ballenger, Esq. (Attorney ID: 93434)

Joline R. Price, Esq. (Attorney ID: 315405)

Vikram A. Patel, Esq. (Attorney ID: 324387)

Counsel for TURN & CAUSE-PA

Community Legal Services, Inc.

1424 Chestnut Street

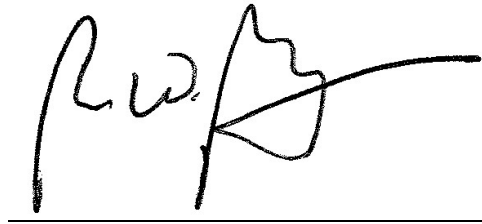
Philadelphia, PA 19102

(215) 981-3700

March 4, 2024

VERIFICATION

I, Robert Ballenger, on behalf of Tenant Union Representative Network (TURN) and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (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 18 Pa. C.S. §4904 (relating to unsworn falsification to authorities).

A handwritten signature in black ink, appearing to read 'R. Ballenger', written over a horizontal line.

Date: March 4, 2024

Robert Ballenger

Counsel for TURN and CAUSE-PA