

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

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IRWINA. POPOWSKY
Consumer Advocate

July 7, 2009

James J. McNulty
Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

RE: Joint Petition for Consolidation of
Proceedings and Approval of Energy
Efficiency and Conservation Plans of
Metropolitan Edison Company,
Pennsylvania Electric Company and
Pennsylvania Power Company
Docket No. M-2009-2112956

Dear Secretary McNulty:

Enclosed for filing is the Notice of Intervention and Public Statement of the Office of
Consumer Advocate, in the above-referenced proceeding.

Copies have been served as indicated on the enclosed Certificate of Service.

Respectfully Submitted,

Candis A. Tunilo

Candis A. Tunilo
Assistant Consumer Advocate
PA Attorney I.D. # 89891

Enclosure

cc: Honorable David A. Salapa
Office of Special Assistants

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Joint Petition for Consolidation of :
Proceedings and Approval of Energy :
Efficiency and Conservation Plans : Docket Nos. M-2009-2112956
of Metropolitan Edison Company, :
Pennsylvania Electric Company and :
Pennsylvania Power Company :

NOTICE OF INTERVENTION

Pursuant to 52 Pa. Code Sections 5.71-74, the Office of Consumer Advocate hereby gives Notice of Intervention in the above-captioned proceeding. A copy of all correspondence and notices, documents, orders or other communications with respect to the above-captioned proceeding should be addressed to the following:

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Respectfully submitted,



Candis A. Tunilo
Assistant Consumer Advocate
PA Attorney I.D. # 89891

DATED: July 7, 2009
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PUBLIC STATEMENT OF THE
OFFICE OF CONSUMER ADVOCATE
PURSUANT TO 71 P.S. SECTION 309-4(e)

Act 161 of the Pennsylvania General Assembly, 71 P.S. Section 309-2, as enacted July 9, 1976, authorizes the Consumer Advocate to represent the interests of consumers before the Pennsylvania Public Utility Commission (Commission). In accordance with Act 161, and for the following reasons, the Consumer Advocate determined to intervene in Pennsylvania Power Company's (Penn Power or Company) Joint Petition for Consolidation of Proceedings and Approval of Energy Efficiency and Conservation Plans of Metropolitan Edison Company, Pennsylvania Electric Company and Pennsylvania Power Company at Docket Number M-2009-2112956.

On July 1, 2009, Penn Power filed its Petition and Energy Efficiency and Conservation (EE&C) Plan with the Commission pursuant to Section 2806.1 of the Public Utility Code, 66 Pa. C.S. § 2806.1, and the Commission's January 15, 2009 Implementation Order at Docket Number M-2008-2069887. In its Petition, Penn Power requests that the Commission approve its proposed EE&C Plan and authorize the Company to implement its proposed tariff riders for cost recovery. Penn Power's Plan proposes to address the requirements of Act 129 through the implementation of nineteen (19) programs for residential; commercial and industrial; and governmental/institutional customers. Penn Power has proposed residential programs including: (1) Home Energy Audits; (2) Residential Appliance Turn-In Program; (3) Residential HVAC; (4) Residential Energy Efficiency Products Program; (5) Residential New Construction; (6) Residential Whole Building; (7) Multi-Family - Tenants; (8) Residential Direct Load Control; and (9) Low-Income Residential.

Further, in its Petition Penn Power requests that the Commission consolidate review of all of the FirstEnergy Companies' EE&C Plans pursuant to 52 Pa. Code § 5.81 because the Petitions present common questions of law and fact and because consolidated review will avoid unnecessary costs and delay. The FirstEnergy Companies include Metropolitan Edison Company, Pennsylvania Electric Company and Penn Power. The FirstEnergy Companies have coordinated their efforts in

developing EE&C Plans. According to the Companies, this coordination has resulted in a comprehensive set of measures that have been grouped into programs that will enable each of the Companies to achieve the goals established under Act 129.

The Consumer Advocate determined to intervene in this proceeding to protect the interests of Penn Power's customers; to ensure that the proposed EE&C Plan and the proposed programs are in accordance with Act 129 and all other applicable statutes, regulations and case law; and to ensure that any increase in rates resulting from the adoption of the proposed programs and any related expenses are just and reasonable.

The OCA intends to review several areas of Penn Power's proposed Plan including the design of the proposed programs; the cost effectiveness of the proposed programs and Plan; and the Company's proposed cost recovery mechanisms. The OCA will seek to ensure that any costs that are sought to be recovered are consistent with Commission regulations, statutes and applicable case law and result in rates that are just and reasonable.

CERTIFICATE OF SERVICE

Joint Petition for Consolidation of :
Proceedings and Approval of Energy :
Efficiency and Conservation Plans : Docket Nos. M-2009-2112956
of Metropolitan Edison Company, :
Pennsylvania Electric Company and :
Pennsylvania power Company :

I hereby certify that I have this day served a true copy of the foregoing document, Notice of Intervention of the Office of Consumer Advocate, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 7th day of July 2009.

SERVICE BY E-MAIL and INTEROFFICE MAIL

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