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July 23, 2009

**By eFiling**

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Re: Petition for Approval of Its Act 129 Energy Efficiency and Conservation Plan and Expedited Approval of Its Compact Fluorescent Lamp Program,  
Docket No. M-2009-2093215

Dear Secretary McNulty:

Enclosed for eFiling please find the **Petition to Intervene of Tenant Union Representative Network and Action Alliance of Senior Citizens of Greater Philadelphia**, in the above-captioned matter. Copies of the enclosed have been served upon the Administrative Law Judge and other parties on the Service List.

Sincerely,

/s/ Thu Tran

Thu B. Tran, Esquire  
Philip A. Bertocci, Esquire  
Jonathan M. Stein, Esquire

Attorneys for TURN, et al.

Enclosure

cc: Administrative Law Judge Marlane R. Chestnut  
Service List

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Petition of PECO Energy Company for Approval** :  
**of its Act 129 Energy Efficiency and Conservation** : **M-2009-2093125**  
**Plan and Expedited Approval of its Compact** :  
**Fluorescent Lamp Program** :

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served copies of the **Petition to Intervene of Tenant Union Representative Network and Action Alliance of Senior Citizens of Greater Philadelphia**, as set forth below in accordance with the requirements of 52 Pa. Code § 1.54:

**VIA FIRST-CLASS MAIL**

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Respectfully submitted,

/s/ Thu Tran

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1424 Chestnut Street  
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July 23, 2009

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PECO Energy Company :  
for Approval of Its Act 129 Energy Efficiency :  
and Conservation Plan and Expedited Approval :  
of Its Compact Fluorescent Lamp Program :         Docket No. M-2009-2093215

**Petition to Intervene of Tenant Union Representative Network and  
Action Alliance of Senior Citizens of Greater Philadelphia**

The Tenant Union Representative Network (“TURN”) and Action Alliance of Senior Citizens of Greater Philadelphia (collectively “TURN et al.”), through counsel Community Legal Services, Inc., hereby file this Petition to Intervene in the above-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 in support, state as follows:

1. On July 1, 2009, PECO Energy Company (“PECO”) filed the above-captioned Petition for Approval of Its Act 129 Energy Efficiency and Conservation Plan and Expedited Approval of Its Compact Fluorescent Lamp Program.

2. In regard to low income households, Act 129 provides as follows:

The Plan shall include specific energy efficiency measures for households at or below 150% of the federal poverty income guidelines. The number of measures shall be proportionate to those households’ share of the total energy usage in the service territory.

66 Pa. C.S. §§ 2806.1(b)(1)(I)(G).

3. PECO proposes in its Act 129 Plan, *inter alia*, to implement a Low-Income Energy Efficiency Program, purporting to comply with Act 129's low income provisions.

4. The Commission should not approve PECO's Petition before adequate assessment of of PECO's filing for proper compliance with Act 129 provisions.

5. The intervenor Tenant Union Representative Network ("TURN") is a not-for-profit advocacy organization composed of moderate and low income tenants, all either customers of PECO or dependent on PECO electricity service and all residing in Philadelphia, PA. In those capacities, they have a direct, immediate, substantial and distinct interest in the proposed PECO Act 129 Energy Efficiency and Conservation Plan. TURN is located at 1315 Walnut Street, Philadelphia, PA 19107.

6. The intervenor Action Alliance of Senior Citizens of Greater Philadelphia ("Action Alliance") is a not-for-profit membership organization of senior citizens, many of whom are Philadelphia taxpayers, residents and customers of PECO, on which they rely for their electricity needs, including heating and cooling. In those capacities, they have a direct, immediate, substantial and distinct interest in the proposed PECO Act 129 Energy Efficiency and Conservation Plan. Action Alliance is located at 1319 Locust Street, Philadelphia, PA 19107.

7. The 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 Program and Rate Mitigation Plan, Docket No. P-2008-2062739;

- b. Petition of PECO Energy Company for Approval of its Market Rate Transition Energy Efficient Package, Docket No. P-2008-2062740;
- c. Petition of PECO Energy Company for Approval of its Market Rate Transition Phase-In Program, Docket No. P-2008-2062741; and
- d. In the Matter of PECO Energy Company Universal Services Three-Year Plan 2007-2009 Submitted in Compliance with 52 Pa. Code § 54.74, Docket No. M-00061945.

8. Intervenors TURN and Action Alliance are represented by:

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9. In the event that the Commission does approve PECO's Petition, the Commission should condition approval on PECO's agreement to perform such actions as are necessary to assure compliance with applicable sections of the Public Utility Code, Commission regulations, guidelines and settlement agreements.

10. The intervenors have interests which may be directly affected and which are not adequately represented by other participants, and as to which the intervenors may be bound by the action of the Commission in this proceeding.

11. TURN et al. reserve the right to raise other issues as additional information becomes available in the course of the proceeding.

12. WHEREFORE, TURN et al. respectfully request that the Pennsylvania Public Utility Commission:

- (1) grant this Petition to Intervene; and
- (2) make such other order as is just and appropriate.

Respectfully submitted,

/s/ Thu Tran

Thu B. Tran, Esquire (Attorney ID: 83086)  
Philip A. Bertocci, Esquire (Attorney ID: 32329)  
Jonathan M. Stein, Esquire (Attorney ID: 15223)

Attorneys for TURN, et al.

COMMUNITY LEGAL SERVICES, INC.  
1424 Chestnut Street  
Philadelphia, PA 19102  
(215) 981-3777

July 22, 2009

## VERIFICATION

I, Phil Lord, on behalf of Tenant Union Representative Network (TURN), 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).

Date: July 22, 2009

*/s/ Phil Lord*  
Title: Executive Director, TURN