



Business Services
Company

Legal Department

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December 6, 2011

Via Electronic Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd floor
Harrisburg, PA 17105

**Re: Joint Petition of Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company for Approval of Their Default Service Programs
Pa. PUC Docket Nos. P-2011-2273650, P-2011-2273668, P-2011-2273669, P-2011-2273670**

Dear Secretary Chiavetta:

Enclosed please find the Petition to Intervene of PECO Energy Company. A copy is being provided to Administrative Law Judge Elizabeth H. Barnes via Overnight Mail. A copy is also being served on all parties on the attached Certificate of Service.

Do not hesitate to contact me should you have any questions regarding this filing.

Very truly yours,


Jeanne J. Dworetzky
Assistant General Counsel

Enclosures

Cc: Administrative Law Judge Elizabeth H. Barnes (via Overnight Mail)
All Parties on the Attached Certificate of Service (via First Class Mail)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Joint Petition of Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company for Approval of Their Default Service Programs	:	Docket Nos.	P-2011-2273650
	:		P-2011-2273668
	:		P-2011-2273669
	:		P-2011-2273670
	:		

PETITION TO INTERVENE OF PECO ENERGY COMPANY

INTRODUCTION

Pursuant to 52 Pa. Code. § 5.71 *et seq.*, PECO Energy Company (“PECO”) hereby files this Petition to Intervene in the above-captioned proceeding. In support of this Petition, PECO states as follows:

BACKGROUND

1. On November 17, 2011, Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company (hereinafter “FirstEnergy Corp.”), filed a Joint Petition for Approval of Their Default Service Programs with the Pennsylvania Public Utility Commission (the “Commission”).

2. By notice filed in the Pennsylvania Bulletin on December 3, 2011, the Commission directed that formal protests, petitions to intervene, and answers to FirstEnergy Corp.’s petition be filed with the Secretary of the Commission on or before December 19, 2011.

3. PECO is filing this Petition to Intervene consistent with the Commission’s notice.

ELIGIBILITY TO INTERVENE

4. Eligibility to intervene in Commission proceedings is governed by 52 Pa. Code § 5.72. This section 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.”¹

5. 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.”²

6. PECO is a Pennsylvania Electric Distribution Company (“EDC”) serving approximately 1.6 million electric customers in Southeastern Pennsylvania.

7. On April 29, 2011, the Commission initiated the Investigation of Pennsylvania’s Retail Electricity Market at Docket No. I-2011-2237952 (the “Investigation”). The Investigation may have an impact on the next default service plans of all Pennsylvania EDCs. Issues concerning the Investigation and, by extension, the next default service plans of all Pennsylvania EDCs may arise in this proceeding. As such, PECO may be directly affected by this proceeding’s outcome, and may be bound by any Commission decision herein with respect to the provision of electric retail default service and competitive procurement plans.

8. For these reasons, no other party can adequately represent PECO’s interest in this proceeding. Accordingly, PECO Energy Company’s Petition to Intervene should be granted.

¹ 52 Pa. Code § 5.72(a).

² 52. Pa. Code § 5.72(a)(2).

CONCLUSION

WHEREFORE, in consideration of the foregoing, PECO respectfully requests that the Presiding Officer enter an order granting PECO full status as an intervenor in this proceeding.

Respectfully submitted,



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Dated: December 6, 2011

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Joint Petition of Metropolitan Edison	:	Docket Nos. P-2011-2273650
Company, Pennsylvania Electric Company,	:	P-2011-2273668
Pennsylvania Power Company and West	:	P-2011-2273669
Penn Power Company for Approval of Their	:	P-2011-2273670
Default Service Programs	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of PECO Energy Company's Petition to Intervene in the above-captioned proceeding on the following counsel via First Class Mail as permitted by 52 Pa. Code § 1.54:

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Dated at Philadelphia, Pennsylvania, December 6, 2011.



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