

**THE PENNSYLVANIA UTILITY LAW PROJECT  
118 LOCUST STREET  
HARRISBURG, PA 17101-1414**

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December 19, 2011

Via E-Filing

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

**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**

Docket Nos. P-2011-2273650  
P-2011-2273668  
P-2011-2273669  
P-2011-2273670

Dear Secretary Chiavetta:

Enclosed please find the Petition to Intervene in the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania ("CAUSE-PA") in the captioned proceedings.

Kindly notify the undersigned if you have any questions or concerns about this filing.

Respectfully submitted,



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Patrick M. Cicero, Esquire  
Harry S. Geller, Esquire  
*Counsel for CAUSE-PA*

CC: Certificate of Service

**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 the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania**

The Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (“CAUSE-PA”), through its counsel at the Pennsylvania Utility Law Project, hereby files this Petition to Intervene in the 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, states as follows:

1. On November 17, 2011, Metropolitan Edison Company (“Met-Ed”), Pennsylvania Electric Company (“Penelec”), Pennsylvania Power Company (“Penn Power”) and West Penn Power Company (“West Penn”) (collectively the “First Energy Companies” or “Companies”) filed a Joint Petition for Approval of their Default Service Programs.
2. By Notice filed in the Pennsylvania Bulletin on December 3, 2011, the Commission directed that formal protests, petitions to intervene, and answers to the First Energy Companies’ petition be filed with the Secretary of the Commission on or before December 19, 2011.
3. CAUSE-PA is filing this Petition to Intervene consistent with the Commission’s notice.
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.” 52 Pa. Code § 5.72(a).

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.” 52 Pa. Code. § 5.72(a)(2).

6. Even though Section 5.72 speaks of the rights of a “person” to intervene, the Commonwealth Court has consistently stated that “an association may have standing as a representative of its members . . . as long as an 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, [i.e., is aggrieved, the organization] has standing.” *Energy Cons. Council of Pa. v. Pa. P.U. C.*, 995 A.2d 465, 476 (Pa. Cmwlth. 2010) (alteration in original) (citing *Tripps Park v. Pa. P.U. C.*, 415 A.2d 967 (Pa. Cmwlth. 1980) and *Parents United for Better Schools v. School District of Philadelphia*, 614 A.2d 689 (Pa. Cmmw. 1994)).

7. 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.

8. CAUSE-PA membership is open to moderate- and low-income individuals residing in the Commonwealth of Pennsylvania who are committed to the goal of helping low-income families maintain affordable access to utility services and achieve economic independence and family well-being.

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

10. CAUSE-PA has interests in the impact that the proposed Default Service Plan has on moderate- and low-income residential customers. These interests are not adequately represented by other participants.

11. At least four current members of CAUSE-PA are customers of one of the four First Energy Companies and will be directly affected by the outcome of this proceeding.<sup>1</sup>

12. Because at least one member of CAUSE-PA has or will suffer a direct, immediate, and substantial injury to an interest as a result of this proceeding, CAUSE-PA has standing to intervene. *See Energy Cons. Council of Pa.*, 995 A.2d at 476.

13. CAUSE-PA is represented in this proceeding by:

Patrick M. Cicero, Esquire  
Harry S. Geller, Esquire  
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<sup>1</sup> The four members of CAUSE-PA who are customers of one of the First Energy Companies are: Ms. Linda Bergman (West Penn Power); Ms. Genora Gosha (Penelec); Ms. Linda Morris (Penelec); and Mr. Lee Rager (West Penn Power).

**WHEREFORE**, CAUSE-PA respectfully requests that the Presiding Officer enter an order granting CAUSE-PA full status as an intervenor in this proceeding.

Respectfully submitted,

**PENNSYLVANIA UTILITY LAW PROJECT**  
*Counsel for CAUSE-PA*



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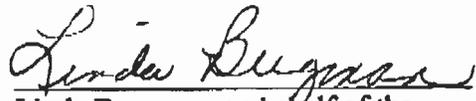
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December 19, 2011

**VERIFICATION**

I, **Linda Bergman**, a member of the Executive Committee of the Coalition for Affordable Utility Services and Energy Efficiency ("CAUSE-PA"), on behalf of 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 10 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

Date: December 19, 2011

  
Linda Bergman, on behalf of the  
Executive Committee of the Coalition for  
Affordable Utility Services and Energy  
Efficiency in Pennsylvania (CAUSE-PA)

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Joint Petition of Metropolitan Edison Company, Pennsylvania  
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Docket Nos. P-2011-2273650  
P-2011-2273668  
P-2011-2273669  
P-2011-2273670

**Certificate of Service**

I hereby certify that I have this day served copies of the **Petition to Intervene of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania**, upon the following parties as set forth below in accordance with the requirements of 52 Pa. Code § 1.54:

**VIA E-MAIL & FIRST-CLASS MAIL**

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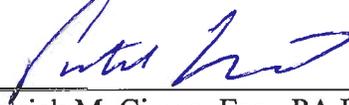
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*Counsel for CAUSE-PA*



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