



February 7, 2012

**VIA FEDERAL EXPRESS**

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

**RECEIVED**

FEB 7 2012

**PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU**

**Re: Petition of PECO Energy Company for Approval of Its Default Service Program; Docket No. P-2012-2283641**

Dear Secretary Chiavetta:

Enclosed please find the original plus three (3) copies of the Petition to Intervene of UGI Energy Services, Inc. in the above-captioned proceeding. As evidenced by the attached Certificate of Service, the parties of record have been served in the manner indicated.

Should you have any questions concerning this filing, please feel free to contact me at (610)-992-3750.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Melanie Elatieh". The signature is fluid and cursive, written over a white background.

Melanie J. Elatieh  
Counsel for UGI Energy Services, Inc.

Enclosure

Cc: Service List



3. UGIES' attorney is authorized to receive service on behalf of UGIES in this proceeding. UGIES requests that the Commission and all parties of record serve copies of all discovery requests and answers, correspondence, Commission Orders and any other documents issued on both UGIES and its attorney. Particularly, UGIES respectfully requests that service (both electronic and paper) be made to its counsel of record, Melanie J. Elatieh, while electronic service be made to Jodi S. Larison.

4. On January 13, 2012, PECO Energy Company ("PECO") filed its Petition for Approval of Its Default Service Program ("DSP II Petition") pursuant to Section 2807(e) of the Public Utility Code to cover its default service provider obligations in its certificated service territory for the period June 1, 2013 through May 31, 2015.

5. Under Section 5.72(a), 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 may file a petition to intervene. The right or interest must be at least one of the following:

- (1) A right conferred by a statute of the Commonwealth;
- (2) 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; or
- (3) Another interest of a nature such that the participation of the petitioner may be in the public interest.

52 Pa. Code § 5.72(a)(1)-(3).

6. UGIES is an indirect, wholly-owned subsidiary of UGI Corporation, a holding company with several subsidiaries that distribute, store, transport and market energy products and related services. Among such subsidiaries of UGI Corporation include three natural gas distribution companies and one small electric distribution company ("EDC") regulated by the

Pennsylvania Public Utility Commission – namely, UGI Utilities, Inc. – Gas Division, UGI Central Penn Gas, Inc., UGI Penn Natural Gas, Inc. and UGI Utilities, Inc. – Electric Division.

7. UGIES is licensed to provide electricity supply to retail customers behind nineteen (19) electric utility companies in Pennsylvania, New Jersey, Delaware, Maryland, the District of Columbia and New York.

8. UGIES is a Commission-approved electric generation supplier (“EGS”), licensed at Docket No. A-110076 since July 24, 1998, to provide retail electricity supply and related services to all customer classes in all EDC service territories within the Commonwealth of Pennsylvania.

9. As a Commission-approved EGS, UGIES currently provides electric generation supply service to small, medium and large commercial and industrial customers across the Commonwealth, including the PECO service territory.

10. In the DSP II Petition, PECO proposes, among other things, a variety of programs intended as “retail market enhancements” in accordance with the Commission’s recommended directives to EDCs in the December 16, 2011 Order at Docket No. I-2011-2237953. Specifically, PECO has proposed an Opt-In EGS Offer Program and a Customer Referral Program, which PECO avers are designed to support retail competition.

11. The foregoing programs are designed to change the current retail marketplace, which may affect the ability of UGIES, and suppliers like it, to compete in the Commonwealth’s retail electricity market. Thus, as an existing and potential retail supplier in PECO’s service territory, UGIES clearly possesses a direct and substantial interest which may be affected by the Commission’s resolution of the proceeding. No other party can adequately represent UGIES’ interests in this matter.

12. Furthermore, UGIES will be bound by the action of the Commission in this proceeding. UGIES must compete against the default service rate and how it is structured could have a substantial impact on UGIES ability to continue to compete in PECO's service territory.

13. Finally, the public interest requires that UGIES be afforded the opportunity to be heard in this proceeding.

14. Due to the early stage of this proceeding, UGIES is still formulating its position on the DSP II Petition and will finalize its position after it has had an opportunity to further study and evaluate the filings, conduct discovery and obtain additional information as necessary.

WHEREFORE, for all the above-mentioned reasons, UGI Energy Services, Inc. respectfully requests that its Petition to Intervene be granted and that it be allowed full party status in this proceeding.

Respectfully submitted,



Melanie J. Elatieh  
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Counsel for UGI Energy Services, Inc.

Dated: February 7, 2012

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SECRETARY'S BUREAU

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Petition of PECO Energy Company for  
Approval of Its Default Service Program**

:  
: **Docket No. P-2012-2283641**  
:  
:  
:

**CERTIFICATE OF SERVICE**

I hereby certify that I have, this 7th day of February, 2012, served a true and correct copy of the foregoing document in the manner and upon the persons listed below in accordance with requirements of 52 Pa. Code § 1.54 (relating to service by a participant):

**VIA FIRST CLASS MAIL AND ELECTRONIC MAIL:**

Administrative Law Judge Dennis J. Buckley  
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Melanie J. Elatich

Counsel for UGI Energy Services, Inc.

Dated: February 7, 2012

From: (610) 992-3209  
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 UGI Corporation  
 460 N. Gulph Road  
 King of Prussia, PA 19406

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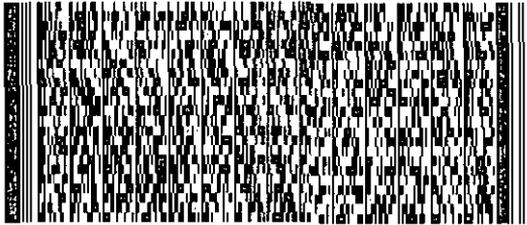
Rosemary Chiavetta, Secretary  
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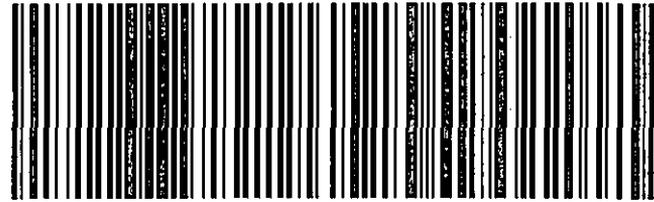
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