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May 24, 2012

**Via Electronic Filing**

Rosemary Chiavetta, Secretary  
PA Public Utility Commission  
PO Box 3265  
Harrisburg, PA 17105-3265

Re: Pennsylvania Public Utility Commission v. Petition of PPL Electric Utilities Corporation,  
Docket No. R-2012-2290597

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Dear Secretary Chiavetta:

On behalf of Granger Energy of Honey Brook LLC and Granger Energy of Morgantown LLC (“Granger Energy”) enclosed please find the original of its Petition to Intervene along with the electronic filing confirmation with regard to the above referenced matter. Copies have been served in accordance with the attached Certificate of Service.

Sincerely,



Carl R. Shultz

CRS/lww  
Enclosure

cc: Hon. Susan D. Colwell, w/enc.  
Cert. of Service w/enc.

## CERTIFICATE OF SERVICE

I hereby certify that this day I served a copy of Granger Energy's Petition to Intervene upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

### Via Email and/or First Class Mail

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Carl R. Shultz, Esq.

Dated: May 24, 2012

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission :  
 : Docket No. R-2012-2290597  
 v. :  
 :  
 PPL Electric Utilities Corporation :

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**PETITION TO INTERVENE OF  
GRANGER ENERGY OF HONEY BROOK LLC AND  
GRANGER ENERGY OF MORGANTOWN LLC**

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Pursuant to 52 Pa. Code §§ 5.72-5.75, Granger Energy of Honey Brook LLC and Granger Energy of Morgantown LLC (collectively, “Granger”) hereby petition to intervene in the above-captioned rate increase request by PPL Electric Utilities Corporation (“PPL” or “Company”). In support of their intervention, Granger states as follows:

**Background**

1. Among other things, Act 213 of 2004 provides that the opportunity for customer-generators<sup>1</sup> to interconnect and net meter small alternative energy systems.<sup>2</sup> *See* 73 P.S. §

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<sup>1</sup> The AEPS Act defines a customer-generator as: “a nonutility owner or operator of a net metered distributed generation system with a nameplate capacity of not greater than 50 kilowatts if installed at a residential service or not larger than 3,000 kilowatts at other customer service locations, except for customers whose systems are above three megawatts and up to five megawatts who make their systems available to operate in parallel with the electric utility during grid emergencies as defined by the regional transmission organization or where a microgrid is in place for the primary or secondary purpose of maintaining critical infrastructure, such as homeland security assignments, emergency services facilities, hospitals, traffic signals, wastewater treatment plants or telecommunications facilities, provided that technical rules for operating generators interconnected with facilities of an electric distribution company, electric cooperative or municipal electric system have been promulgated by the Institute of Electrical and Electronic Engineers and the Pennsylvania Public Utility Commission.” 73 P.S. § 1648.2.

1648.2 (definitions), 73 P.S. § 1648.5 (interconnection standards for customer-generator facilities).

2. On or about March 30, 2012, PPL filed a request for a distribution rate increase. The proposed Tariff Supplement filed with that request proposes changes to the net-metering provisions in PPL's Tariff. Specifically, as part of this proceeding, PPL has proposed to limit the availability of net metering "to installations where the customer-generator generates no more than 110% of the customer-generator's electric consumption." See Supplement No. 118 to Electric Pa. P.U.C. No. 201, Fourth Revised Page No. 19L.2.

### **Petition to Intervene**

3. Granger is a customer generator using, and intending to use, net metering in PPL's service territory. Granger Energy of Honey Brook LLC provides landfill gas to industrial customers<sup>3</sup> and owns and operates generation facilities that use landfill gas to generate electricity (currently 3.2 MW) which is delivered to the PPL system under PPL's net metering tariff provisions. It has plans to expand these existing generation facilities (up to 5 MW as currently allowed) and to continue to deliver electricity to the PPL system under PPL's net metering tariff

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<sup>2</sup> The AEPS Act defines net metering as "[t]he means of measuring the difference between the electricity supplied by an electric utility and the electricity generated by a customer-generator when any portion of the electricity generated by the alternative energy generating system is used to offset part or all of the customer-generator's requirements for electricity." 73 P. S. § 1648.2.

<sup>3</sup> *Petition of Granger Energy of Honey Brook, LLC for a Declaratory Order Concluding that the Provision of Landfill Gas by Granger Energy of Honey Brook, LLC to Four Industrial Customers Constitutes Neither the Provision of Public Utility Service under 66 Pa. C.S. § 102 nor Natural Gas Distribution Service or Natural Gas Supply Services under 66 Pa. C.S. § 2202*, PUC Docket No. P-00032043, Order entered September 8, 2004, 2004 Pa. PUC LEXIS 33.

provisions. Granger Energy of Morgantown LLC provides landfill gas to industrial customers,<sup>4</sup> and is in the process of planning and permitting generators, which it will own and operate, to generate electricity (up to 5 MW as currently allowed) that will be delivered to the PPL system under PPL's net metering tariff provisions.

4. Granger's attorneys in this matter are:

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Granger agrees to accept electronic service to all attorneys listed above to be followed up with one hard copy of the documents served.

5. The Commission's regulations allow intervention where a person has an interest in the proceeding which may be directly affected and which is not adequately represented by existing parties, and as to which the person may be bound by the action of the Commission in the proceeding. 52 Pa. Code § 5.72(a)(2). Intervention is also permitted where participation of the person may be in the public interest. 52 Pa. Code § 5.72(a)(3). A "person" includes a corporation and an association. 52 Pa. Code § 1.8.

6. Granger meets the standards for intervention set forth in 52 Pa. Code § 5.72(a). As a customer-generator using, and intending to use, the net metering provisions in PPL's tariff, Granger satisfies the standard for intervention because Granger plainly possesses an "interest which may be directly affected and which is not adequately represented by existing participants,

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<sup>4</sup> See *Granger Energy of Morgantown, LLC*; PUC Docket No. M-00051865F0002 <http://www.pabulletin.com/secure/data/vol38/38-28/1309.html>

and as to which the petitioner may be bound by the action of the Commission in the proceeding.”  
52 Pa. Code § 5.72(a)(1).

7. Granger’s interests in this proceeding are unique from and not adequately represented by other parties that may seek to intervene, including other individual customer-generators using the net metering provisions in Pennsylvania in general and in PPL’s service territory in particular. Granger has a special and unique interest in the outcome of this proceeding. Granger will be bound by the action of the Commission in this proceeding, which will determine the availability of net metering in PPL’s service territory, and Granger’s interests could be harmed if the Commission approves changes to the net metering provisions in PPL’s Tariff in ways that are adverse to Granger’s existing and proposed operations.

8. Granger’s intervention is in the public interest. *See* 52 Pa. Code § 5.72(a)(3). Granger’s participation will enable it to contribute the unique perspectives and insights of a net metering customer and will allow a complete presentation of the issues to be addressed in this proceeding related to net metering.

9. Granger opposes the net metering limitation as proposed by PPL. Due to the early stage of this proceeding, Granger reserves the right to raise and address issues identified through its continued review and analysis of PPL’s rate request and related information, or other issues raised by other parties.

## Conclusion

**WHEREFORE**, it is respectfully requested that the Commission grant Granger's  
Petition to Intervene.

Respectfully submitted,



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Daniel Clearfield, Esquire

Attorney ID 26183

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Attorney ID 70328

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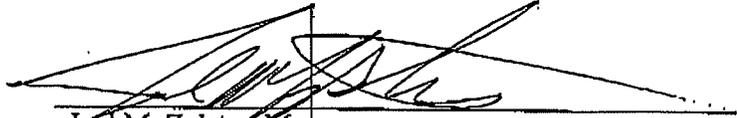
Date: May 24, 2012

Attorneys for Granger Energy of Honey Brook LLC  
and Granger Energy of Morgantown LLC

**VERIFICATION**

I, **Joel M. Zylstra**, state that I am the Manager of both Granger Energy of Honey Brook LLC and Granger Energy of Morgantown LLC (collectively, "Granger") and that as such I am authorized to make this verification on their behalf. I hereby state that the facts contained herein are true and correct (or are true and correct to the best of my knowledge, information and belief) 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 18 Pa. C.S. § 4904, relating to unsworn falsification to authorities.

Date: May 24, 2012



Joel M. Zylstra, Manager  
Granger Energy of Honey Brook LLC  
Granger Energy of Morgantown LLC