



COMMONWEALTH OF PENNSYLVANIA

July 10, 2014

E-FILED

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

**Re: Commonwealth of Pennsylvania, by Attorney General Kathleen G. Kane, Through
the Bureau of Consumer Protection and Tanya J. McCloskey, Acting Consumer
Advocate, Complainants v. Respond Power, LLC, Respondent
Docket No. C-2014-2427659**

Dear Secretary Chiavetta:

I am delivering for filing today the Notice of Intervention and Public Statement, on behalf of the Office of Small Business Advocate, in the above-captioned proceeding. As discussed previously with Commission staff, the legislatively-mandated Public Statement is included behind the Notice of Intervention.

Two copies have been served today on all known parties in this proceeding. A Certificate of Service to that effect is enclosed.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Sharon E. Webb".

Sharon E. Webb
Assistant Small Business Advocate
Attorney ID No. 73995

Enclosures

cc: Hon. Charles E. Rainey, Jr.

Parties of Record

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

| | | |
|-----------------------------------------------------|---|----------------------------------|
| Commonwealth of Pennsylvania, by Attorney | : | |
| General Kathleen G. Kane, Through the Bureau | : | |
| Of Consumer Protection | : | |
| And | : | |
| Tanya J. McCloskey, Acting Consumer | : | |
| Advocate | : | Docket No. C-2014-2427659 |
| Complainants | : | |
| v. | : | |
| Respond Power, LLC | : | |
| Respondent | : | |

**NOTICE OF INTERVENTION
OF THE OFFICE OF SMALL BUSINESS ADVOCATE**

The Office of Small Business Advocate (“OSBA”) files this Notice of Intervention with respect to Joint Complaint of the Commonwealth of Pennsylvania, by Attorney General Kathleen G. Kane, Through the Bureau of Consumer Protection, and Tanya J. McCloskey, Acting Consumer Advocate versus Respond Power, LLC (“Respond” or the “Company”) that was filed with the Pennsylvania Public Utility Commission (“Commission”) on June 20, 2014. In support of this Notice of Intervention, the OSBA avers as follows:

1. The OSBA is an agency of the Commonwealth of Pennsylvania authorized by the Small Business Advocate Act (Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50) to represent the interest of small business consumers as a party in proceedings before the Commission.

2. Representing the OSBA in this proceeding is:

Sharon E. Webb
Office of Small Business Advocate
300 North Second Street, Suite 1102
Harrisburg, Pennsylvania 17101
(717) 783-2525
(717) 783-2831 (fax)
swebb@pa.gov

Respectfully submitted,



Sharon E. Webb
Assistant Small Business Advocate
Attorney I.D. No. 73995

For:
John R. Evans
Small Business Advocate

Office of Small Business Advocate
300 North Second Street, Suite 1102
Harrisburg, PA 17101
(717) 783-2525

Date: July 10, 2014

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

| | | |
|-----------------------------------------------------|---|----------------------------------|
| Commonwealth of Pennsylvania, by Attorney | : | |
| General Kathleen G. Kane, Through the Bureau | : | |
| Of Consumer Protection | : | |
| And | : | |
| Tanya J. McCloskey, Acting Consumer | : | |
| Advocate | : | Docket No. C-2014-2427659 |
| Complainants | : | |
| v. | : | |
| Respond Power, LLC | : | |
| Respondent | : | |

**PUBLIC STATEMENT OF
THE OFFICE OF SMALL BUSINESS ADVOCATE**

The Small Business Advocate is authorized and directed to represent the interest of small business consumers of utility services in Pennsylvania under the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50 (the "Act"). The Act further provides that the Small Business Advocate is to issue publicly a written statement stating concisely the specific interest of small business consumers to be protected by his initiation of or intervention in any proceeding involving those interests before the Public Utility Commission ("Commission") or any other agency or court. This public statement relates to the filing today by the Small Business Advocate of an Intervention in the above-captioned Commission proceeding.

On June 20, 2014, the Office of Consumer Advocate filed a Joint Complaint with the Office of Attorney General through the Bureau of Consumer Protection against Respond Power, LLC ("Respond" or the "Company") alleging multiple violations of Pennsylvania law and Pennsylvania Public Utility Commission ("Commission") orders and regulations.

In view of the foregoing, the Small Business Advocate is intervening in this proceeding in order to protect the interests of the Company's small business customers.

Dated: July 10, 2014

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

| | | |
|-----------------------------------------------------|---|----------------------------------|
| Commonwealth of Pennsylvania, by Attorney | : | |
| General Kathleen G. Kane, Through the Bureau | : | |
| of Consumer Protection, and Tanya J. | : | |
| McCloskey, Acting Consumer Advocate, | : | |
| Complainants | : | Docket No. C-2014-2427659 |
| v. | : | |
| Respond Power, LLC, | : | |
| Respondent | : | |

CERTIFICATE OF SERVICE

I certify that I am serving two copies of the Notice of Intervention and Public Statement, on behalf of the Office of Small Business Advocate, by e-filing, e-mail, and/or first-class mail (unless otherwise noted) upon the persons addressed below:

Hon. Charles E. Rainey, Jr.
Chief Administrative Law Judge
Pa. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105
(717) 787-1191
(717) 787-0481 (fax)
crainey@pa.gov
(E-mail and Hand Delivery)

Candis A. Tunilo, Esquire
Christy M. Appleby, Esquire
Office of Consumer Advocate
555 Walnut Street - 5th Floor
Harrisburg, PA 17101-1923
(717) 783-5048
(717) 783-7152 (fax)
ctunilo@paoca.org
cappleby@paoca.org
(E-mail and Hand Delivery)

Michael Swindler, Esquire
Law Bureau
Pa. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105
(717) 787-5000
(717) 783-3458 (fax)
mswindler@pa.gov
(E-mail and Hand Delivery)

Adam Small, Esquire
Major Energy Services
100 Dutch Hill Road - Suite 310
Orangeburg, NY 10962
(First-class Mail Only)

Johnnie E. Simms, Esquire
Bureau of Investigation and Enforcement
Pa. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105
(717) 787-1191
(717) 787-0481 (fax)
josimms@pa.gov
(E-mail and Hand Delivery)

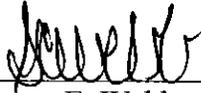
Cheryl Walker Davis, Esquire
Office of Special Assistants
Pa. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105
(717) 787-1827
(717) 783-6324 (fax)
cwalkerdav@pa.gov
(E-mail and Hand Delivery)

Karen O. Moury, Esquire
Buchanan Ingersoll & Rooney, PC
409 N. Second Street
Harrisburg, PA 17101-1357
(First-class Mail Only)

Saul Horowitz, CEO
Scott Foreman-Murray, Esquire
Respond Power, LLC
100 Dutch Hill Road - #310
Orangeburg, NY 10962
(First-class Mail Only)

Dated: July 10, 2014

John M. Abel, Esquire
Nicole R. Beck, Esquire
Bureau of Consumer Protection
Office of Attorney General
Strawberry Square - 15th Floor
Harrisburg, PA 17120
(717) 787-9707
(717) 705-3795 (fax)
jabel@attorneygeneral.com
nbeck@attorneygeneral.gov



Sharon E. Webb
Assistant Small Business Advocate
Attorney ID # 73995