

November 25, 2015

Via Electronic Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
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 for the Period Beginning June 1, 2017 through May 31, 2019; Docket Nos. A-2015-2511333, A-2015-2511351, A-2015-2511355, A-2015-2511356

Dear Secretary Chiavetta:

Enclosed for filing on behalf of Noble Americas Energy Solutions LLC is its Petition to Intervene in the above-referenced matter. Copies of the Petition are being served upon the persons and in the manner set forth in the certificate of service attached to it.

Should you have any questions or require additional information, please do not hesitate to contact me.

Very truly yours,

THOMAS, NIESEN & THOMAS, LLC

By



Charles E. Thomas, III

Enclosure

cc: Certificate of Service (w/encl.)
Becky Merola (w/encl.)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Petition of Metropolitan Edison Company
for Approval of a Default Service Program
for the Period Beginning June 1, 2017
through May 31, 2019** : : **Docket No. P-2015-2511333**

**Petition of Pennsylvania Electric
Company for Approval of a Default
Service Program for the Period Beginning
June 1, 2017 through May 31, 2019** : : **Docket No. P-2015-2511351**

**Petition of Pennsylvania Power Company
for Approval of a Default Service Program
for the Period Beginning June 1, 2017
through May 31, 2019** : : **Docket No. P-2015-2511355**

**Petition of West Penn Power Company for
Approval of a Default Service Program for
the Period Beginning June 1, 2017 through
May 31, 2019** : : **Docket No. P-2015-2511356**

**PETITION TO INTERVENE
OF
NOBLE AMERICAS ENERGY SOLUTIONS LLC**

AND NOW, comes Noble Americas Energy Solutions LLC (“Noble” or “Petitioner”), by its attorneys, and pursuant to Pursuant to 52 Pa. Code § 5.71 *et seq.*, petitions the Pennsylvania Public Utility Commission (“Commission”) to intervene in the above-captioned matters. In support of its intervention, Noble states as follows:

I. INTRODUCTION

1. On November 3, 2015, the FirstEnergy Service Companies – Metropolitan Edison Company (“Met-Ed”), Pennsylvania Electric Company (“Penelec”), Pennsylvania Power

Company (“Penn Power”, and West Penn Power Company (“West Penn”) (collectively referred to herein as “FirstEnergy”) – filed a joint petition seeking Commission approval of their fourth Default Service Programs (“Programs”) to establish terms and conditions under which FirstEnergy will procure default service supplies, provide default service to non-shopping customers, satisfy requirements imposed by the Alternative Energy Portfolio Standards Act, and recover associated costs on a full and current basis for the period beginning June 1, 2017 through May 31, 2019.

2. Notices of the filings of Met-Ed’s, Penelec’s, Penn Power’s, and West Penn’s respective petitions were published in the *Pennsylvania Bulletin* on November 14, 2015. *See* 45 Pa.B. 6654-6655. As presented in the published notices, petitions to intervene in the proceeding are to be filed with the Commission on or before November 30, 2015.

3. The name and business address of Petitioner and its company representative for purposes of this proceeding are:

Noble Americas Energy Solutions LLC
5325 Sheffield Ave.
Powell, Ohio 43065

Attention: Becky Merola
Government Affairs East
bmerola@noblesolutions.com

4. Noble is licensed by the Commission as an electric generation supplier (“EGS”) at Docket No. A-110141 to offer, render, furnish or supply electricity and electric generation supplier services to large commercial (over 25kW), industrial, and governmental customers, and to residential and small commercial (25kW and under) customers (limited to mixed meters), throughout the Commonwealth, including the FirstEnergy service territories. Noble is one of the nation’s largest independent, non-residential retailers and marketers of retail energy services.

Noble strives to serve the energy supply needs of national and regional commercial, industrial, and governmental customers, and where there are mixed meters some residential meters, across 14 states, including Pennsylvania, and offers its customers a wide variety of energy-related products and services, including fixed, indexed, demand response, and green energy options. Noble also provides energy procurement and risk management solutions designed to meet the individual needs of its customers and capture the benefits of a deregulated utility environment. In addition to its product and service offerings, Noble has built its own state of the art billing systems and uses dual billing exclusively for its Pennsylvania customers.

5. The name, address, and contact information of Petitioner’s counsel are:

Charles E. Thomas III, Esq.
THOMAS, NIESEN & THOMAS, LLC
212 Locust Street, Suite 600
Harrisburg, PA 17101
Tel: (717) 255-7611
cet3@tntlawfirm.com

All pleadings, documents, correspondence, orders, notices, discovery, and other items filed, served, or issued in this proceeding should be served on the above counsel in both electronic and paper forms.

II. NOBLE’S INTERVENTION

6. The Commission’s regulations permit intervention by a party that demonstrates 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.” 52 Pa. Code § 5.72(a)(2). Intervention is also allowed where a party’s participation is in the public interest. 52 Pa. Code § 5.72(a)(3).

7. Noble meets the standards for intervention set forth in 52 Pa. Code § 5.72(a).

Noble has a direct and substantial interest in ensuring that FirstEnergy's Programs and, in particular, any of FirstEnergy's proposed initiatives to enhance retail competition, including the customer referral programs, are implemented in a competitively neutral and non-discriminatory manner. Noble also has a vested interest in ensuring that the Programs do not implement charges or costs that would harm the competitive market.

8. This proceeding will establish, among other things, the rates, terms, conditions, and structure of FirstEnergy's default service programs against which Noble must compete to serve FirstEnergy customers beginning June 1, 2017. The proceeding will also directly affect Noble's customers – large and national commercial, industrial, and governmental customers, as well as small commercial customers as defined in the respective FirstEnergy tariffs. Accordingly, Noble's intervention is necessary because its ability, as a licensed EGS, to market electricity and energy-related products and services to existing and future retail customers in the FirstEnergy service territories will be materially impacted by the outcome of this proceeding.

9. As an independent EGS, Noble's interest will not be adequately addressed through other existing parties' comments or involvement.

10. Noble's intervention is also in the public interest. Noble possesses significant and unique knowledge, experience, and resources with respect to the marketing of retail energy services in 14 states, which will be helpful in developing a record on the reasonableness of the FirstEnergy Programs and will serve to better protect the consumers of Pennsylvania. Moreover, without the opportunity to intervene, Noble will be unable to participate in this proceeding, but will nevertheless be bound by the actions taken by the Commission. Such actions may have a material impact on Noble's operations, business activities, and involvement in Pennsylvania and, more specifically, within the service territories of Met-Ed, Penelec, Penn Power, and West Penn.

IV. NOBLE'S POSITION REGARDING THE ISSUES

11. Noble continues to review FirstEnergy's joint petition and direct testimony and has not yet determined its position on the many matters presented therein. It may support, oppose, or propose revisions to the joint petition and the Programs, as filed. Noble will present its position in accordance with the litigation schedule established at the initial prehearing conference.

WHEREFORE, Noble Americas Energy Solutions LLC respectfully requests that the Pennsylvania Public Utility Commission grant this Petition to Intervene and authorize Noble Americas Energy Solutions LLC's intervention and participation in this proceeding as a full and active party.

Respectfully submitted,



Charles E. Thomas, III, Esq. (PA ID # 201014)
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Harrisburg, PA 17101
Tel: (717) 255-7611
cet3@tntlawfirm.com

*Counsel for Petitioner
Noble Americas Energy Solutions LLC*

DATED: November 25, 2015

VERIFICATION

I, Becky Merola, Government Affairs East of Noble Americas Energy Solutions LLC, hereby state that the facts set forth herein above 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).



Becky Merola

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of Metropolitan Edison Company for	:	
Approval of a Default Service Program for	:	Docket No. P-2015-2511333
the Period Beginning June 1, 2017 through	:	
May 31, 2019	:	
Petition of Pennsylvania Electric Company	:	
for Approval of a Default Service Program	:	Docket No. P-2015-2511351
for the Period Beginning June 1, 2017	:	
through May 31, 2019	:	
Petition of Pennsylvania Power Company for	:	
Approval of a Default Service Program for	:	Docket No. P-2015-2511355
the Period Beginning June 1, 2017 through	:	
May 31, 2019	:	
Petition of West Penn Power Company for	:	
Approval of a Default Service Program for	:	Docket No. P-2015-2511356
the Period Beginning June 1, 2017 through	:	
May 31, 2019	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this 25th day of November, 2015, served a true and correct copy of the foregoing Petition to Intervene of Noble Americas Energy Solutions LLC, upon the persons and in the manner listed below:

VIA EMAIL AND FIRST CLASS MAIL

Honorable David A. Salapa
Administrative Law Judge
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265
dsalapa@pa.gov

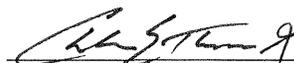
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VIA FIRST CLASS MAIL

Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
P.O. Box 3265
Harrisburg, PA 17105-3265

Office of Consumer Advocate
Forum Place, 5th Floor
555 Walnut Street
Harrisburg, PA 17101-1923



Charles E. Thomas, III (PA ID # 201014)