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February 15, 2016

**VIA E-FILING**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor  
Harrisburg, PA 17120

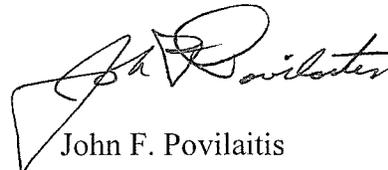
Re: Pennsylvania Public Utility Commission v. UGI Utilities, Inc. – Gas Division;  
Docket No. R-2015-2518438

Dear Secretary Chiavetta:

On behalf of Retail Energy Supply Association (“RESA”), enclosed for electronic filing is the Petition to Intervene of the Retail Energy Supply Association, the above captioned matter.

Copies have been served on all parties as indicated in the attached Certificate of Service.

Very truly yours,



John F. Povilaitis

KOM/bb  
Enclosure

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
	:	
v.	:	R-2015-2518438
	:	
UGI Utilities, Inc. – Gas Division	:	

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**PETITION TO INTERVENE  
OF THE  
RETAIL ENERGY SUPPLY ASSOCIATION**

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Pursuant to 52 Pa. Code § 5.71, by and through its counsel, John F. Povilaitis, Karen O. Moury and Buchanan Ingersoll & Rooney PC, the Retail Energy Supply Association<sup>1</sup> (“RESA”) hereby files this Petition to Intervene and avers as follows:

1. On January 19, 2016, UGI Utilities, Inc.-Gas Division (“UGI”) filed Tariff Gas – PA P.U.C. Nos. 6 and 6-S (“Tariff”). By Order entered on February 11, 2016, the Commission suspended the Tariff by operation of law until October 19, 2016, unless otherwise directed by Order of the Commission.

2. UGI proposes to increase rates to produce additional annual operating revenues of \$58.6 million, which would be a 17.5% increase over present revenues. UGI’s filing includes existing rules and new proposals that may affect the viability of the competitive retail natural gas market and the business operations of natural gas suppliers (“NGSs”) licensed to furnish natural

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<sup>1</sup> The comments expressed in this filing represent the position of the Retail Energy Supply Association as an organization but may not represent the views of any particular member of the Association. Founded in 1990, RESA is a broad and diverse group of more than twenty retail energy suppliers dedicated to promoting efficient, sustainable and customer-oriented competitive retail energy markets. RESA members operate throughout the United States delivering value-added electricity and natural gas service at retail to residential, commercial and industrial energy customers. More information on RESA can be found at [www.resausa.org](http://www.resausa.org).

gas supply services to retail customers in UGI's service territory. Additionally, proposals by other parties made during the proceeding may raise issues impacting the competitive retail natural gas market and the operations of NGSs.

3. RESA is a trade association that includes NGSs who are licensed by the Commission to furnish natural gas supply services to retail customers throughout the Commonwealth of Pennsylvania, including UGI's service territory.

4. RESA is represented in the above-captioned matter by the following counsel:

John F. Povilaitis  
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5. The Commission's regulations allow intervention where a person has an interest in a 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 an association. 52 Pa. Code § 1.8.

6. RESA meets the standards for intervention set forth in the 52 Pa. Code § 5.72(a). As an organization whose members include NGSs licensed to do business in UGI's service territory, RESA will be directly affected by this proceeding to the extent that UGI's proposed distribution rates include any gas supply procurement-related costs, which may adversely affect the ability of NGSs to economically serve retail customers. RESA also has a substantial interest in existing and proposed supplier tariff provisions that have impacted or will impact the ability of

NGSs to cost-effectively serve retail customers in UGI's service territory. Further, RESA has a direct and substantial interest in UGI's existing rules governing the switching of retail customers and its proposals to offer new programs that may require customers to receive natural gas supply service from UGI.

7. RESA's interests in this proceeding are unique from and not adequately represented by other parties that may seek to intervene, including individual NGSs or other organizations interested in natural gas competition in Pennsylvania in general and in UGI's service territory in particular. This is because RESA represents the interests of a diverse and broad group of NGSs in general, and not the interests of any individual member.

8. RESA's members will be bound by the action of the Commission in this proceeding, which will determine the appropriate costs for recovery by UGI through distribution charges, will rule on Tariff No. 6-S ("Choice Supplier Tariff"), which contains provisions directly applicable to NGSs), and will otherwise address all aspects of UGI's existing rules and new proposals set forth in the filing.

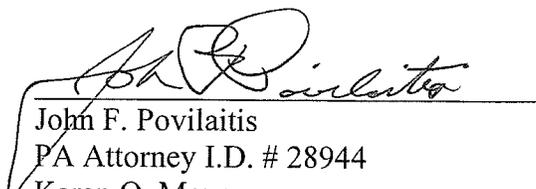
9. RESA's intervention is in the public interest as it will enable the Commission to hear the unique perspectives of a trade association representing multiple NGSs on the issues to be addressed in this proceeding. While RESA is still reviewing UGI's filing, it intends to focus on any issues raised by UGI's filing and testimony submitted by other parties that may have an adverse impact on the competitive natural gas retail market or the business operations of NGSs serving or desiring to serve retail customers in UGI's service territory. A particular issue of interest to RESA relates to the proposed recovery by UGI of any gas supply procurement-related costs through distribution charges. RESA will also address proposed changes to the Choice Supplier Tariff, as well as existing provisions in the Choice Supplier Tariff in an effort to ensure

transparency and fairness in terms of their effect on NGSs and the functioning of the retail market. Further, RESA will pursue issues concerning the feasibility of permitting customers to switch to NGSs between meter readings. Additionally, RESA will review UGI's proposed Energy Efficiency and Conservation Plan to determine the impact on the competitive retail market. Since RESA is continuing to review UGI's filing and will review the proposals offered by other parties, this list is not exhaustive and will be revised as necessary and appropriate throughout the proceeding.

WHEREFORE, the Retail Energy Supply Association respectfully requests that the Commission grant this Petition to Intervene.

Respectfully submitted,

February 15, 2016



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*Attorneys for Retail Energy Supply Association*

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
	:	
v.	:	R-2015-2518438
	:	
UGI Utilities, Inc. – Gas Division	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of § 1.54 (relating to service by a party).

**Via Email and U.S. Mail**

The Honorable Susan D. Colwell  
The Honorable Steven K. Haas  
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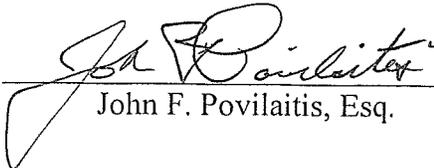
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Dated this 15<sup>th</sup> day of February, 2016.

  
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John F. Povilaitis, Esq.