

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>Pennsylvania Public Utility Commission</b>	:	
	:	Docket No. R-2016-2537355
	:	
v.	:	
	:	
	:	
<b>Pennsylvania Power Company</b>	:	

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**CLEAN AIR COUNCIL’S PETITION TO INTERVENE**

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Pursuant to 52 Pa. Code §§ 5.72-5.75 Clean Air Council (“CAC”) hereby files this Petition to Intervene in the above captioned proceeding. In support thereof, CAC states as follows:

1. CAC is a member-supported environmental organization serving Pennsylvania and the Mid-Atlantic Region. CAC is dedicated to protecting and defending everyone’s right to breathe clean air. CAC works through a broad array of related sustainability and public health initiatives, using public education, community action, government oversight, and enforcement of environmental laws. CAC has members in Pennsylvania Power Company’s (“Penn Power”) service territory.

2. CAC’s attorneys in this matter are:

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3. On April 28, 2016, Penn Power submitted a rate filing, Supplement No. 17 to its Tariff Electric PA P.U.C. No. 36 (“Supplement No. 17”), in which Penn Power proposes to increase its retail distribution rates by approximately \$42 million. This would result in an average increase for residential customers of approximately 14.2% in distribution rates. Penn Power has stated that this increase is partly due to a reduction in earnings from successful energy efficiency programs.

4. 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.

5. CAC meets the standards for intervention set forth in 52 Pa. Code § 5.72(a). CAC is committed to improving air quality throughout Pennsylvania; reducing the impact of air pollution on the health of vulnerable populations; and ensuring that renewable energy and energy efficiency be expanded and utilized to the fullest extent possible. The Commission’s actions in this proceeding regarding Penn Power’s proposed rate increase will have a direct impact on the ability of CAC to achieve these goals.

6. CAC’s interests in this proceeding are unique from, and not adequately represented by, other parties that may seek to intervene because CAC is a well-established local environmental organization that has extensive experience in air quality issues, renewable energy and energy efficiency.

7. CAC's intervention is in the public interest because it will enable CAC to contribute its unique perspective and insight of a well-established local environmental organization as the Commission considers Penn Power's proposals. CAC has intervened in previous matters before the Pennsylvania Public Utility Commission, New Jersey Board of Public Utilities and Delaware Public Service Commission.

8. Due to the early stage of this proceeding, CAC reserves the right to raise and address issues identified through its continued review and analysis of Penn Power's rate increase proposal (and related information) or other issues raised by other parties.

**WHEREFORE**, Clean Air Council respectfully requests that the Commission grant this Petition to Intervene.

Respectfully submitted,



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Joseph Otis Minott, Esquire



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Ernest Logan Welde, Esquire

Date: May 31, 2016

Attorneys for Clean Air Council

**VERIFICATION**

I, Ernest Logan Welde, staff attorney Clean Air Council, hereby verify that the facts contained in the foregoing pleading are true and accurate to the best of my knowledge and that I am duly authorized to make this verification, and that I expect to be able to prove the same at any hearing held in this matter.

A handwritten signature in cursive script that reads "Ernest Logan Welde".

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Ernest Logan Welde, Esquire

## CERTIFICATE OF SERVICE

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

### **Via Email and/or First Class Mail**

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