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June 15, 2016

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

**VIA ELECTRONIC FILING**

**Re: Pennsylvania Public Utility Commission v. West Penn Power Company;  
Docket No. R-2016-2537359**

Dear Secretary Chiavetta:

Please find enclosed for filing with the Pennsylvania Public Utility Commission ("PUC" or "Commission") the Petition to Intervene of Wal-Mart Stores East, LP and Sam's East, Inc. (collectively, "Walmart"), in the above-referenced matters.

This document was filed electronically with the Commission on this date. All parties are being served a copy of this document in accordance with the enclosed Certificate of Service.

Please contact me if you have any questions concerning this filing.

Sincerely,

SPILMAN THOMAS & BATTLE, PLLC

By 

Derrick Price Williamson  
Barry A. Naum

BAN/sds

Enclosures

c: Administrative Law Judge Mary D. Long (via E-mail and First-Class Mail)  
Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket No. R-2016-2537359
	:	
West Penn Power Company	:	

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the foregoing document upon the following parties to this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by participant).

**VIA E-MAIL & FIRST-CLASS MAIL**

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Barry A. Naum

Dated: June 15, 2016

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission

v.

West Penn Power Company

:  
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:  
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:

Docket No. R-2016-2537359

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**PETITION TO INTERVENE OF  
WAL-MART STORES EAST, LP AND SAM'S EAST, INC.**

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TO THE HONORABLE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Pursuant to 52 Pa. Code Sections 5.71 through 5.74, Wal-Mart Stores East, LP and Sam's East, Inc. (collectively, "Walmart"), hereby file this Petition to Intervene in the above-captioned proceeding. In support thereof, Walmart states as follows:

1. Petitioner is Walmart, 2001 SE 10<sup>th</sup> Street, Bentonville, AR 72716-0550.
2. The name and address of Petitioner's attorneys are:

Derrick Price Williamson  
Barry A. Naum  
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3. On April 28, 2016, West Penn Power Company ("West Penn" or "Company") filed with the Pennsylvania Public Utility Commission ("PUC" or "Commission") Supplement No. 10 to West Penn's Tariff Electric – Pa. P.U.C. No. 38 and Supplement No. 15 to the Company's Tariff Electric – Pa. P.U.C. No. 40 (collectively, the "Filing"), representing a request for a general increase in the Company's electric distribution rates of approximately \$98.2 million,


or 5.51% above current rates, to be effective June 27, 2016. This effective date of new rates was suspended until January 27, 2017, by Order of the Commission issued on June 9, 2016.

4. Walmart is a national retailer with 160 facilities in the Commonwealth of Pennsylvania, including a large number of facilities in the Company's service territory. These facilities include Walmart Supercenters, Discount Stores, Sam's Clubs, distribution centers, and gas stations. Walmart takes service from West Penn primarily pursuant to Rate Schedule 35 – General Power Service, and the cost of electricity comprises a significant portion of the operating costs of Walmart's various retail and distribution locations.

5. The Commission's final determination in this proceeding may directly impact the terms and conditions of the electric service that Walmart receives from the Company. Walmart therefore has a direct, substantial, and unique interest in the outcome of this proceeding that is not represented by any other party. See 52 Pa. Code § 5.72(a)(2).

**WHEREFORE**, Wal-Mart Stores East, LP and Sam's East, Inc., requests that the Commission grant this Petition to Intervene and provide Walmart with full party status in this proceeding.

Respectfully submitted,

By   
Derrick Price Williamson (Pa. I.D. No. 69274)  
Barry A. Naum (Pa. I.D. No. 204869)  
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Counsel to Wal-Mart Stores East, LP and Sam's East, Inc.

Dated: June 15, 2016

**VERIFICATION**

I, Barry A. Naum, Counsel to Wal-Mart Stores East, LP and Sam's East, Inc., hereby state that the facts set forth in the foregoing Petition to Intervene are true and correct to the best of my knowledge, information, and belief. I understand that the statements made herein are made subject to 18 Pa.C.S. § 4904 (pertaining to unsworn falsification to authorities).

Date: June 15, 2016



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Barry A. Naum