

# Morgan Lewis

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January 23, 2017

## **VIA eFILING**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17105-3265

**Re: Petition of NRG Energy, Inc. for Implementation of  
Electric Generation Supplier Consolidated Billing  
Docket No. P-2016-2579249**

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Dear Secretary Chiavetta:

Enclosed for filing, on behalf of **Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company**, is their **Petition to Intervene** (the "Petition") in the above-captioned proceeding.

As evidenced by the attached Certificate of Service, copies of the Petition are being served upon all parties listed in the Certificate of Service that accompanied NRG Energy, Inc.'s Petition.

Very truly yours,



Anthony C. DeCusatis

ACD/tp  
Enclosures

c: Per Certificate of Service (w/encls.)

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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**PETITION OF NRG ENERGY, INC. FOR :  
IMPLEMENTATION OF ELECTRIC : Docket No. P-2016-2579249  
GENERATION SUPPLIER :  
CONSOLIDATED BILLING :**

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**PETITION TO INTERVENE  
OF METROPOLITAN EDISON COMPANY,  
PENNSYLVANIA ELECTRIC COMPANY, PENNSYLVANIA  
POWER COMPANY AND WEST PENN POWER COMPANY  
TO THE PETITION OF NRG ENERGY, INC.**

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On December 8, 2017, the above-referenced Petition (“Petition”) was filed with the Pennsylvania Public Utility Commission (“Commission”) by NRG Energy, Inc. (“NRG”). On the same day, NRG served a copy of the Petition on Metropolitan Edison Company (“Met-Ed”), Pennsylvania Electric Company (“Penelec”), Pennsylvania Power Company (“Penn Power”) and West Penn Power Company (“West Penn”) (each, a “Company” and collectively, the “Companies”) and on all other electric distribution companies (“EDCs”) that would be directly affected by action the Commission might take on the Petition.

On December 24, 2016, the Commission published a Notice in the *Pennsylvania Bulletin* providing that Answers to the Petition and Comments on NRG’s proposal set forth therein could be filed by January 23, 2017, and Reply Comments could be filed by February 22, 2017. The Commission’s Notice and the Commission’s regulation at 52 Pa. Code § 5.61 should provide all of the authority necessary for the Companies to file an Answer to, and Comments upon, the Petition. Therefore, the Companies are filing their joint Answer in opposition to the Petition and their Comments contemporaneously with this Petition to Intervene. However, in the event the

Commission deems it necessary that an interested party also file a Petition to Intervene in order to obtain party status in the above-captioned proceeding, the Companies are filing this Petition to Intervene as a precautionary measure.

As explained below, the Companies satisfy all of the criteria set forth in 52 Pa. Code § 5.72 to be granted intervention in this proceeding, in the event they are not already deemed parties by reason of filing their joint Answer, as authorized by the Commission's Notice. In further support of their Petition to Intervene, the Companies state as follows:

1. Each of the Companies is a "public utility" and an "electric distribution company" as defined in Sections 102 and 2803 of the Public Utility Code.

2. Each of the Companies was served by NRG with a copy of its Petition.

3. NRG's Petition requests that the Commission order all EDCs in the Commonwealth to adopt its proposal to implement supplier consolidated billing ("SCB"). If adopted, NRG's proposal would require significant changes to the manner in which electric distribution customers of the Companies and other Pennsylvania EDCs are billed if customers elect SCB. Additionally, NRG's proposal, if adopted, would also fundamentally change, for SCB customers, the customer-service practices and procedures that EDCs currently employ in compliance with the Public Utility Code and the Commission's regulations. These changes would affect, among many other customer service functions, existing processes for termination of service for non-payment and for the restoration of service after such a termination.

4. NRG's proposal, if adopted, would significantly affect the operations of the Companies, cause them to incur material one-time and on-going costs, and erode existing customer protections in ways that could adversely impact the Companies' ability to provide safe, reliable and reasonable service to their customers pursuant to Section 1501 of the Public Utility

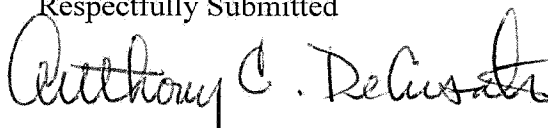
Code. Moreover, NRG's proposal would have a disparate impact on each EDC because of differences in each EDC's customer base, customer service infrastructure and existing customer service practices and protocols. In addition, pursuant to Section 316 of the Public Utility Code, the Companies could be bound by a final order of the Commission in this case.

5. For all of the reasons set forth in Paragraph No. 4, *supra*, each of the Companies has a substantial, direct and immediate interest in the outcome of this proceeding that could not be adequately represented by any other participant. Moreover, the Companies can provide an additional, and important, perspective on the multitude of unresolved issues raised by NRG's Petition. The Companies' input will benefit the Commission by helping to develop a complete record for decision in this case, in the event the Commission does not, as requested in the Companies' Answer in opposition, summarily deny NRG's Petition.

WHEREFORE, for the reasons set forth above, if the Commission deems it necessary that the Companies file a Petition to Intervene, in addition to their Answer in opposition to the Petition, in order to have party status in this proceeding, the Commission should grant this

Petition to Intervene, approve the intervention of each of the Companies in this case, and grant each Company full party status.

Respectfully Submitted



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*Counsel for Metropolitan Edison Company,  
Pennsylvania Electric Company, Pennsylvania  
Power Company and West Penn Power  
Company*

Dated: January 23, 2017

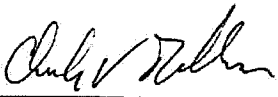
**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**PETITION OF NRG ENERGY, INC. FOR** :  
**IMPLEMENTATION OF SUPPLIER** :     **Docket No. P-2016-2579249**  
**CONSOLIDATED BILLING** :

**VERIFICATION**

I, Charles V. Fullem, hereby state, that I am the Director, Rates and Regulatory Affairs – Pennsylvania for FirstEnergy Service Company and 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 this verification is made subject to the provisions and penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

Dated: January 23, 2017

  
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Charles V. Fullem

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**PETITION OF NRG ENERGY, INC. FOR : Docket No. P-2016-2579249**  
**IMPLEMENTATION OF ELECTRIC : :**  
**GENERATION SUPPLIER : :**  
**CONSOLIDATED BILLING : :**

**CERTIFICATE OF SERVICE**

I hereby certify and affirm that I have this day served copies of **Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company's Petition to Intervene** on the following persons, in the manner specified below, in accordance with the requirements of 52 Pa. Code § 1.54:

**VIA ELECTRONIC MAIL AND/OR FIRST CLASS MAIL**

Richard Kanaskie  
Pennsylvania Public Utility Commission  
Bureau of Investigation & Enforcement  
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*Counsel for NRG Energy, Inc.*

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Pennsylvania Utility Law Project  
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Wellsboro Electric Company  
Attn: EGS Coordination  
33 Austin Street  
P.O. Box 138  
Wellsboro, PA 16901

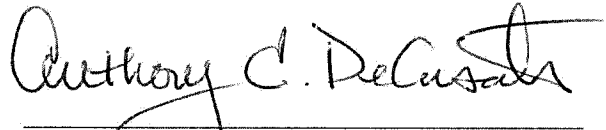
UGI Utilities, Inc.  
Attn: Rates Department – Choice Coordinator  
2525 North 12th Street, Suite 360  
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Reading, PA 19612-2677



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Respectfully submitted,



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