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May 24, 2018

Via Electronic 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. PECO Energy Company
Docket No. R-2018-3000164

Dear Secretary Chiavetta:

Enclosed for filing on behalf of Calpine Energy Solutions, LLC is its Petition to Intervene in the above-referenced matter. Copies of the Petition are being served in accordance with the attached Certificate of Service.

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**

Pennsylvania Public Utility Commission

v.

PECO Energy Company

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:
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:
:

Docket Nos. R-2018-3000164

PETITION TO INTERVENE OF CALPINE ENERGY SOLUTIONS, LLC

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

1. On March 29, 2018, PECO Energy Company (“PECO”) initiated a base rate proceeding through the filing of Tariff Electric-Pa. P.U.C. No. 6 to become effective May 28, 2018. Tariff No. 6 proposes rates designed to produce an increase in PECO’s annual distribution revenue of approximately \$82 million, or 2.2% over current rates. PECO proposed that the new rates become effective on May 28, 2018. By Order entered April 19, 2018, the Commission instituted an investigation into the lawfulness, justness, and reasonableness of the proposed filing and suspended the proposed Tariff No. 6 until December 28, 2018.

2. A prehearing conference was held on May 8, 2018 before Deputy Chief Administrative Law Judge (“ALJ”) Christopher Pell and ALJ F. Joseph Brady. By Prehearing Order #1 dated May 10, 2018, the presiding ALJs memorialized the procedural matters addressed at the prehearing conference, including the submission of petitions to intervene filed after the date of the prehearing conference. *See* Prehearing Order # 1 at 4 (Ordering ¶ 5).

3. The name and business address of Petitioner are:

Calpine Energy Solutions, LLC
5325 Sheffield Ave.
Powell, Ohio 43065
Attention: Becky Merola
Director, Government & Regulatory Affairs
Becky.Merola@calpinesolutions.com

4. Calpine Solutions is represented in this proceeding by:

Charles E. Thomas III, Esq.
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Copies of all pleadings, discovery, correspondence, orders, and other documents in this proceeding should be served on the above counsel. Calpine Solutions also respectfully requests that Ms. Merola be added to the informal e-mail distribution list created for this proceeding.

5. Calpine Solutions is an independent, national provider of energy and energy-related services across twenty states, including Pennsylvania where it is a licensed electric generation supplier (“EGS”) serving commercial, industrial, municipal and residential customers throughout the Commonwealth of Pennsylvania, including in the service territory of PECO. As one of the nation’s largest independent retailers and marketers of retail energy services, Calpine Solutions offers customers a wide variety of energy-related procurement and risk management services to meet the individual needs of its customers and capture the benefits of a restructured utility environment.

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. Calpine Solutions meets the standards for intervention set forth in 52 Pa. Code § 5.72(a). Calpine Solutions has a direct and substantial interest in this proceeding, particularly with respect to ensuring that any changes in rate design or other proposals do not result in cross-subsidization of costs between distribution and default service functions and do not implement charges or costs that could harm the competitive market.

8. This proceeding will establish the rates charged to customers for delivery of electricity, which is intended to provide funding for potentially broad based changes to PECO’s distribution system and services, including, among other things, infrastructure and technology upgrades that will accelerate the innovation of tools to assist customers manage their consumption of energy. As such, the proceeding will directly affect Calpine Solutions’ customers – regional and national commercial, industrial, and governmental customers, as well as small commercial customers as defined in PECO’s tariff. Accordingly, Calpine Solutions’ intervention is necessary because its ability to market energy and provide or offer energy-related products and services to existing and future retail customers in the PECO’s service territory could be materially impacted by the outcome of this proceeding.

9. Calpine Solutions intends to participate in this proceeding to the extent necessary to protect its interests and those of its customers. These interests cannot be adequately represented or protected by any other existing party.

10. Calpine Solutions’ intervention is also in the public interest. Calpine Solutions possesses significant and unique knowledge, experience, and resources with respect to the marketing of retail energy services across twenty states, which will be helpful in developing a

record on the reasonableness of PECO's rate request and will serve to better protect the consumers of Pennsylvania. Moreover, without the opportunity to intervene, Calpine Solutions 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 Calpine Solutions' operations, business activities, and involvement in Pennsylvania and more specifically within the service territory of PECO.

11. Calpine Solutions is still reviewing PECO's rate filing and accompanying statements of direct testimony and exhibits and has not yet determined its position on the matters presented therein. While Calpine Solutions reserves the right to present its position and address any relevant issues within the context of a base rate proceeding, it has no intention of broadening the scope of this proceeding, which, Calpine Solutions recognizes, is statutorily limited in terms of subject matter and time. Calpine Solutions, moreover, is prepared to comply with all previously-established procedures and schedules, as set forth in Prehearing Order #1.

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

Respectfully submitted,



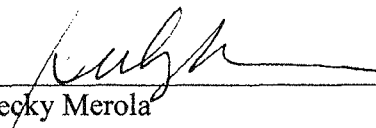
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Counsel for Calpine Energy Solutions LLC

DATED: May 24, 2018

VERIFICATION

I, Becky Merola, Director of Government & Regulatory Affairs of Calpine Energy Solutions, LLC, hereby state that the facts set forth 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

Dated: May 24, 2018

CERTIFICATE OF SERVICE

I hereby certify that I have this 24th day of May, 2018, served a true and correct copy of the foregoing document upon the upon the persons listed below, in accordance with the requirements of 52 Pa. Code § 1.54:

VIA EMAIL AND FIRST CLASS MAIL

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