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May 24, 2018

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

VIA ELECTRONIC FILING

**Re: Pennsylvania Public Utility Commission v. PECO Energy Company;
Docket No. R-2018-3000164**

Dear Secretary Chiavetta:

Please find enclosed for filing with the Pennsylvania Public Utility Commission ("PUC" or "Commission") the Petition to Intervene of ArcelorMittal USA LLC ("ArcelorMittal"), 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: Deputy Chief Administrative Law Judge Christopher P. Pell (via E-mail and First-Class Mail)
Administrative Law Judge F. Joseph Brady (via E-mail and First-Class Mail)
Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket No. R-2018-3000164
	:	
PECO Energy 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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A handwritten signature in blue ink, appearing to read 'Barry A. Naum', written over a horizontal line.

Barry A. Naum

Dated: May 24, 2018

date of new rates was suspended until December 28, 2018, by Order of the Commission issued on April 19, 2018.

4. ArcelorMittal, is the world's leading integrated steel and mining company. ArcelorMittal has steel-making operations in 18 countries on four continents and employs over 197,000 people worldwide. ArcelorMittal has two steel production facilities within PECO's service territory, in Coatesville, Pennsylvania, and in Conshohocken, Pennsylvania. These two facilities have a steelmaking capacity of approximately 1.4 million tons and employ over 875 employees. In that regard, ArcelorMittal annually consumes in excess of 13.7 million MWH of electricity delivered by PECO, primarily pursuant to Rate Schedule HT, making ArcelorMittal one of the largest individual customers on the Company's system. Accordingly, the cost, reliability, and quality of electric service provided by PECO are issues of critical importance to ArcelorMittal.

5. ArcelorMittal is still in the process of evaluating whether it will sponsor testimony in this proceeding. In the event ArcelorMittal decides to sponsor testimony, ArcelorMittal will promptly inform the parties and the presiding Administrative Law Judges ("ALJs"). Regardless, if intervention is granted, ArcelorMittal reserves the right to participate in this proceeding and adduce evidence through the submission of discovery, cross-examination of other parties' witnesses, and the submission of briefs, exceptions, and reply exceptions, as necessary.

6. ArcelorMittal's Petition is timely filed within the time permitted by 52 Pa. Code §§ 5.53 and 5.74,¹ and ArcelorMittal's intervention at this stage will not delay or cause prejudice to


¹ 52 Pa. Code § 5.74(b) states "Petitions to intervene shall be filed: (1) No later than the date fixed for the filing of responsive pleadings in an order or notice with respect to the proceedings but not less than the notice and protest period established under §§ 5.14 and 5.53 (relating to applications requiring notice; and time of filing) absent good cause shown. (2) No later than the date fixed for filing protests as published in the *Pennsylvania Bulletin* except for good cause shown. (3) In accordance with § 5.53 if no deadline is set in an order or notice with respect to the proceedings." Additionally, 52 Pa. Code § 5.53 states "[a] protest shall be filed within the time specified in the published notice of the application. If no protest time is specified, the protest shall be filed within 60 days of publication of the notice." ArcelorMittal understands that PECO has notified its customers that the deadline for filing a Complaint in this proceeding is June 29, 2018.

any current party in this proceeding. ArcelorMittal will take the proceeding as it stands and accepts the schedule and procedural rules as set forth in the Prehearing Order issued by the presiding ALJs on May 10, 2018.

7. The resolution of PECO's proposed rate increase, including any changes to the Company's proposal or current tariff that other parties might propose, may directly impact the costs, terms, and conditions of the electric service that ArcelorMittal receives from the Company. Given ArcelorMittal's unique status as a large consumer with two steel production facilities, and the substantial economic and employment benefits that ArcelorMittal individually provides in the PECO territory and the surrounding region of Pennsylvania, ArcelorMittal's specific interests are not represented by any other party in this case and are of such a nature that ArcelorMittal's participation is in the public interest. See 52 Pa. Code § 5.72(a)(2) & (3).

WHEREFORE, ArcelorMittal USA LLC requests that the Commission grant this Petition to Intervene and provide ArcelorMittal with full party status in this proceeding.

Respectfully submitted,

By 
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Counsel to ArcelorMittal USA LLC

Dated: May 24, 2018

VERIFICATION

I, Barry A. Naum, Counsel to ArcelorMittal USA LLC, hereby state that the factors 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: May 24, 2018

A handwritten signature in blue ink, appearing to read 'B. Naum', written over a horizontal line.

Barry A. Naum