



February 15, 2019

*Via Electronic Filing*

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

**Re: Pa. PUC v. Peoples Natural Gas Company LLC. Docket No. R-2018-3006818**

Enclosed for electronic filing, please find the Petition to Intervene and Answer of the Coalition for Affordable Utility Service and Energy Efficiency in Pennsylvania (CAUSE-PA) in the above referenced matter.

Copies of this filing will be circulated in accordance with the attached Certificate of Service.

Respectfully submitted,

Patrick M. Cicero  
Counsel for CAUSE-PA

CC: Petition to Intervene and Answer  
Certificate of Service

**BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, et al. :  
 :  
 v. : Docket No. R-2018-3006818  
 :  
 Peoples Natural Gas Company LLC. :

---

**PETITION TO INTERVENE AND ANSWER  
OF THE COALITION FOR AFFORDABLE UTILITY SERVICES  
AND ENERGY EFFICIENCY IN PENNSYLVANIA**

---

**PENNSYLVANIA UTILITY LAW PROJECT**  
*Counsel for CAUSE-PA*  
Patrick M. Cicero, Esq., PA ID: 89039  
John W. Sweet, Esq., PA ID: 320182  
Elizabeth R. Marx, Esq., PA ID: 309014  
Kadeem G. Morris, Esq., PA ID: 324702  
118 Locust Street  
Harrisburg, PA 17101  
Tel.: 717-236-9486  
Fax: 717-233-4088

**February 15, 2019**

Pursuant to the provisions of the Rules of Practice and Procedure of the Pennsylvania Public Utility Commission (“PUC” or “Commission”), 52 Pa. Code §§ 5.61-5.76, the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (“CAUSE-PA”), through its counsel at the Pennsylvania Utility Law Project, hereby petitions the Pennsylvania Public Utility Commission (“Commission”) to intervene in the above-captioned proceeding. In support thereof, CAUSE-PA states as follows:

1. On January 28, 2019, People Natural Gas Company LLC (Peoples) submitted a rate filing, Retail Tariff Gas PA PUC No. 47, Supplier Tariff Gas- PA PUC No. S-3, which proposes to increase rates by approximately \$94.9 million per year. A residential customer served by Peoples Division who purchases 86 Mcf of gas from Peoples per year would increase from \$74.24 to \$84.73 per month, or by 14.1 percent. A residential customer served Equitable Division who purchases 86 Mcf of gas from Peoples per year would increase from \$70.79 to \$84.73 per month, or by 19.7 percent.

#### **Petition to Intervene**

2. Eligibility to intervene in Commission proceedings is governed by 52 Pa. Code § 5.72, which provides in relevant part that “[a] petition to intervene may be filed by a person claiming a right to intervene or an interest of such nature that intervention is necessary or appropriate to the administration of the statute under which the proceeding is brought.” 52 Pa. Code § 5.72(a).

3. Section 5.72 further provides that the right or interest may be one “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).

4. Even though Section 5.72 speaks of the rights of a “person” to intervene, the Commonwealth Court has consistently stated that “an association may have standing as a representative of its members ... as long as an organization has at least one member who has or will suffer a direct, immediate, and substantial injury to an interest as a result of the challenged action, [i.e., is aggrieved, the organization] has standing.” Energy Cons. Council of Pa. v. Pa. PUC, 995 A.2d 465, 476 (Pa. Commw. 2010) (alteration in original) (*citing* Trippls Park v. Pa. PUC, 415 A.2d 967 (Pa. Commw. 1980); Parents United for Better Schools v. School District of Philadelphia, 646 A.2d 689 (Pa. Commw. 1994)).

5. CAUSE-PA is an unincorporated association of low-income individuals that advocates on behalf of its members to enable consumers of limited economic means to connect to and maintain affordable water, electric, heating and telecommunication services.

6. CAUSE-PA membership is open to moderate and low- income individuals residing in the Commonwealth of Pennsylvania who are committed to the goal of helping low-income families maintain affordable access to utility services and achieve economic independence.

7. CAUSE-PA is located, c/o the Pennsylvania Legal Aid Network, at 118 Locust Street, Harrisburg, PA 17101.

8. CAUSE-PA has a significant interest on the impact that Peoples’ proposed rate increase will have on moderate and low income residential customers. These interests are not adequately represented by other participants.

9. Several members of CAUSE-PA are located within Peoples’ service territory and will be directly affected by the outcome of this proceeding. Particularly, this proceeding will affect

the price that CAUSE-PA members pay for natural gas service as well as the reliability and quality of that service.<sup>1</sup>

10. CAUSE-PA has standing to intervene because several of its members have or will suffer a direct, immediate, and substantial injury to an interest as a result of this proceeding. See Energy Cons. Council of Pa., 995 A.2d at 476.

11. CAUSE-PA is represented in this proceeding by:

John W. Sweet, Esquire  
Patrick M. Cicero, Esquire  
Elizabeth R. Marx, Esquire  
Kadeem G. Morris, Esquire  
**Pennsylvania Utility Law Project**  
118 Locust Street  
Harrisburg, PA 17101  
Telephone: 717-236-9486  
Facsimile: 717-233-4088  
E-mail: [pulp@palegalaid.net](mailto:pulp@palegalaid.net)

12. Counsel for CAUSE-PA consents to the service of documents by electronic mail to [pulp@palegalaid.net](mailto:pulp@palegalaid.net), as provided in 52 Pa. Code § 1.54(b)(3).

### Answer

13. CAUSE-PA has preliminarily reviewed Peoples' rate filing, and objects to Peoples' request on the grounds that the proposed rate increase could result in unjust and unreasonable rates that would impose severe hardship on low and moderate income residential customers and consumers.

14. CAUSE-PA is concerned about the impact the proposed consolation of the base rates and the disproportionate impact it will have on low and moderate income customers in the Equitable Division's service territory.

---

<sup>1</sup> Ms. Ronel Baccus, Ms. Genora Gosha, Ms. Rochelle Jackson, Ms. Linda Morris and Ms. Nancy Gibson are members of CAUSE-PA and customers of Peoples.

15. Continued delivery of safe, affordable natural gas service is of critical importance to the safety, welfare, and economic stability of all Pennsylvanians – particularly those with limited financial means. In recognition of this fact, the law requires that utility services – here natural gas service - be universally available at an affordable rate, and that all universal service programs be developed, maintained, and appropriately funded to ensure such affordability. See 66 Pa. C.S. § 2203(3), (8).

16. CAUSE-PA asserts that these matters, and any future modifications presented by intervening parties, must be thoroughly reviewed and investigated to ensure that all customers are able to access safe, affordable natural gas service within Peoples’ service territory.

WHEREFORE, CAUSE-PA respectfully requests that the Commission enter an order granting CAUSE-PA full status as an intervener in this proceeding with active party status.

Respectfully submitted,

**PENNSYLVANIA UTILITY LAW PROJECT**  
*Counsel for CAUSE-PA*



Patrick M. Cicero, Esq., PA ID: 89039  
John W. Sweet, Esq., PA ID: 320182  
Elizabeth R. Marx, Esq., PA ID: 309014  
Kadeem G. Morris, Esq., PA ID:324702  
118 Locust Street  
Harrisburg, PA 17101  
Tel.: 717-236-9486  
Fax: 717-233-4088  
[pulp@palegalaid.net](mailto:pulp@palegalaid.net)

Date: February 15, 2019

**Verification**

I, Minta Livengood, a member of the Executive Committee of the Coalition for Affordable Utility Services and Energy Efficiency (“CAUSE-PA”), on behalf of CAUSE-PA, hereby state that the facts contained in the foregoing pleading are true and correct to the best of my knowledge, information and belief, that I am duly authorized to make this Verification, 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 10 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

  
Ms. Minta Livengood

On behalf of the Executive Committee of the Coalition for  
Affordable Utility Services and Energy Efficiency in  
Pennsylvania (CAUSE-PA)

Date: February 15, 2019

**BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, et al. :  
 :  
 v. : Docket No. R-2018-3006818  
 :  
 Peoples Natural Gas Company LLC. :

**Certificate of Service**

I hereby certify that I have this day served copies of the **Petition to Intervene and Answer of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania** upon the parties of record in the above captioned proceeding in accordance with the requirements of 52 Pa. Code § 1.54 in the manner and upon the persons listed below.

**VIA First Class Mail and Email**

Michael W. Gang, Esq.  
Anthony D. Kanagy, Esq.  
Devin T. Ryan, Esq.  
Post & Schell, PC  
17 North Second Street, 12<sup>th</sup> Fl  
Harrisburg, PA 17101  
[mgang@postschell.com](mailto:mgang@postschell.com)  
[akanagy@postschell.com](mailto:akanagy@postschell.com)  
[dryan@postschell.com](mailto:dryan@postschell.com)

William H. Roberts II, Esq.  
Peoples Natural Gas Company LLC  
375 North Shore Drive  
Pittsburgh, PA 15212  
[william.h.roberts@peoples-gas.com](mailto:william.h.roberts@peoples-gas.com)

Harrison W. Breitman, Esq.  
Office of Consumer Advocate  
555 Walnut Street  
5<sup>th</sup> Floor Forum Place  
Harrisburg, PA 17101-1923  
[hbreitman@paoca.org](mailto:hbreitman@paoca.org)

Ericka McLain, Esq.  
Carrie B. Wright, Esq.  
PA Public Utility Commission  
Bureau of Investigation & Enforcement  
Commonwealth Keystone Building  
400 North Street, 2nd Floor West  
PO Box 3265  
Harrisburg, PA 17105-3265  
[ermclain@pa.gov](mailto:ermclain@pa.gov)  
[carwright@pa.gov](mailto:carwright@pa.gov)  
Erin K Fure, Esq.  
Office of Small Business Advocate  
300 North Second Street, Suite 202  
Harrisburg, PA 17101  
[efure@pa.gov](mailto:efure@pa.gov)



**VIA First Class Mail only**

Daniel Killmeyer  
184 McKay Road  
Saxonburg, PA 16056-9726

Charles Hagins  
420 Goucher Street  
Johnstown, PA 16905

Sean Ferris  
406 Laurie Drive  
Penn Hills, PA 15235

Respectfully submitted,  
**PENNSYLVANIA UTILITY LAW PROJECT**  
*Counsel for CAUSE-PA*



Patrick M. Cicero, Esq., PA ID: 89039  
118 Locust Street  
Harrisburg, PA 17101  
717-236-9486  
[pulp@palegalaid.net](mailto:pulp@palegalaid.net)

February 15, 2019