



January 23, 2024

Via Email

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

Re: Pa. PUC v. Peoples Natural Gas Company LLC, Docket No. R-2023-3044549

CAUSE-PA Petition to Intervene

Secretary Chiavetta:

Please find the attached *Petition to Intervene and Answer of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA)* in the above referenced proceeding.

As indicated on the attached Certificate of Service, service on the parties was accomplished by email only.

Respectfully,

A handwritten signature in black ink, appearing to read "John W. Sweet", written over a horizontal line.

John W. Sweet, Esq.
Counsel for CAUSE-PA

CC: *Certificate of Service*

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 and files its Answer in the above-captioned proceeding. In support thereof, CAUSE-PA states as follows:

1. On December 29, 2023, Peoples Natural Gas Company LLC (“Peoples”) filed a general rate increase, PA PUC No. 48.,. The rate increase is estimated at approximately \$156.0 million and seeks to consolidate the tariffs of Peoples Natural Gas Division (“PGND”) and Peoples Gas Division (“PGD”) (collectively, “Peoples”). If Peoples’ request is approved, the total bill for PGND residential customer using 80 Mcf per year would increase from \$73.16 to \$88.79 per month or by 21.4%. The total bill for a PGD residential customer using 80 Mcf per year would increase from \$84.00 to \$90.35 per month or by 7.6%. (See Rate Filing Cover Letter)

2. Peoples proposes to increase its residential customer charge from \$14.50 in Peoples Natural Gas (PNG) Division and \$15.75 in Peoples Gas Division to \$21.50 across both divisions. (Ex. DF-2).

3. The rate increase also includes a proposed “Weather Normalization Adjustment” (“WNA”), which would adjust customer delivery charges based on weather patterns. Under the proposed WNA, ratepayers would be assessed an additional charge on their bill when warmer weather is experienced. (Id.).

4. Peoples also proposes to make changes to its tariff provisions relating to its Customer Assistance Program (CAP) and its Pilot CAP Expansion program (E-CAP) that will affect the ability of customers to enroll in the programs and the level of benefits they receive.

Petition to Intervene

5. 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).

6. 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).

7. 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* Tripps 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)).

8. 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.

9. 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.

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

11. CAUSE-PA has a significant interest in 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.

12. 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.

13. CAUSE-PA has standing to intervene because 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.

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

John W. Sweet, Esq., PA ID: 320182
Ria M. Pereira, Esq., PA ID: 316771
Elizabeth R. Marx, Esq., PA ID: 309014
Lauren N. Berman, Esq., PA ID: 310116

Pennsylvania Utility Law Project
118 Locust Street
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15. Counsel for CAUSE-PA consents to the service of documents by electronic mail to pulp@pautilitylawproject.org, as provided in 52 Pa. Code § 1.54(b)(3).

Answer

16. 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.

17. 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). Peoples' general rate increase, specifically its proposal to significantly increase its fixed residential customer charge, could have a disparate impact on smaller households, with limited economic means, and will undermine bill savings achieved through adoption of energy efficiency and conservation measures.

18. CAUSE-PA is concerned about the disproportionate impact the proposed general rate increase and the WNA proposal, will have on low and moderate income customers in Peoples' service territory.

19. Based on a preliminary review, CAUSE-PA submits that the application of Peoples' proposed WNA, as filed in this base rate case, and the proposed changes to Peoples' CAP, may

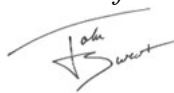
result in unjust, unreasonable, and discriminatory rates for consumers and must be reviewed by the Commission.

20. 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 the 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



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Date: January 23, 2024

Verification

I, Elizabeth Marx, Esq., verify that the *Petition to Intervene and Answer of the Coalition for Affordable Utility Service and Energy Efficiency in Pennsylvania* was prepared by me or under my direct supervision, and is true and correct to the best of my knowledge, information and belief. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).



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Date: January 23, 2024

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Respectfully Submitted,
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