

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PPL Electric Utilities Corporation for :  
Approval of an Energy Efficiency and Conservation Plan : M-2009-2093216  
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**PETITION TO INTERVENE OF THE PENNSYLVANIA ASSOCIATION OF  
COMMUNITY ORGANIZATIONS FOR REFORM NOW (“ACORN”)**

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TO THE HONORABLE, THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

1. The Pennsylvania Association of Community Organizations for Reform Now (“ACORN”) , through counsel, the Pennsylvania Utility Law Project, hereby Petitions to Intervene in the above-captioned proceeding pursuant to the provisions of the Rules of Practice and Procedure of the Pennsylvania Public Utility Commission (PUC or Commission), 52 Pa. Code Sections 5.71-5.74, and states as follows:
2. On July 1, 2009, in accordance with the requirements of Act 129 and Commission Implementation Order, entered January 16, 2009, PPL Electric Utilities Corporation (“the Company”) filed its Act 129 EE&C Plan with the Commission at Docket No. M-2009-2093216. The EE&C Plan addresses how the Company plans to meet consumption reduction requirements of Act 129.

3. Act 129 identifies low income customers as a specific group of customers designated to receive specific energy saving levels in the EE&C Plans.

The Plan shall include specific energy efficiency measures for households at or below 150% of the federal poverty income guidelines. The number of measures shall be proportionate to those households' share of the total energy usage in the service territory.<sup>1</sup>

4. The Commission, in its Implementation Order, noted:

There are clear requirements in the Act regarding proportionate measures for low-income customers (within a residential customer class) as well as for governments, schools, etc. (within a commercial customer class). Beyond those requirements, we believe that EDCs should develop plans to achieve the most energy savings per expenditure.<sup>2</sup>

5. The Company proposes an EE&C Plan intended to address and comply with the requirements of ACT 129, including, specifically, the low income requirements.
6. The Petitioner, Pennsylvania ACORN, is a not-for-profit chapter of the Association of Community Organizations for Reform ("ACORN"), an advocacy and membership organization whose mission is to advocate on behalf of low and lower income persons on numerous consumer issues, including access to and affordability of utility service. Many of ACORN constituents reside within PPL Electric Utilities Corporation service territory and are customers of the Company; they rely on the Company for their

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<sup>1</sup> 66 Pa. C.S. §§ 2806.1(b)(1)(I)(G).

<sup>2</sup> *Energy Efficiency and Conservation Program Implementation Order*, Docket No. M-2008-2069887, (Order entered January 15, 2009), at 22.

electricity, including heating and cooling needs, and will be affected by the issues presented in this proceeding. In particular, they are potentially eligible to participate in and receive the benefits of the PPL Company ACT 129 Energy Efficiency and Conservation (EE&C) Plan; they will also share the costs of the EE&C plan on ratepayers. They therefore have a direct, immediate, substantial, and distinct interest in PPL's Petition for Approval.

7. ACORN seeks to intervene to ensure that its interests and those of its constituents are protected and advanced in this proceeding. Those interests are not adequately represented by other participants in this proceeding.
8. In this proceeding the Commission will determine, prior to approval, whether PPL's EE&C Plan is in compliance and accords with all Act 129 requirements.
9. ACORN intends to address, among other issues, whether the proposed EE&C Plan ensures that the low income population, as defined in the Act, is correctly targeted; whether those low income customers obtain a share of the total energy savings that is proportionate to low income households' share of total energy usage; and whether the measures employed and methods of coordination comport with and satisfy Act 129 requirements.
10. The Petitioners are represented by the Pennsylvania Utility Law Project. Attorneys for receiving service of all documents in this proceeding are:

Harry S. Geller, Esq. and John C. Gerhard, Esq., Pennsylvania Utility Law Project, 118 Locust St., Harrisburg, PA, 17101, whose telephone number is 717-232-2719 and electronic mail addresses are: [hgellerpulp@palegalaid.net](mailto:hgellerpulp@palegalaid.net) and [jgerhardpulp@palegalaid.net](mailto:jgerhardpulp@palegalaid.net).

**WHEREFORE**, ACORN respectfully requests that the Pennsylvania Public Utility Commission grant this Petition to Intervene and make such other order as is just and appropriate.

Respectfully submitted by:

/s/ Harry S. Geller

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