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December 14, 2009

Via Electronic Filing

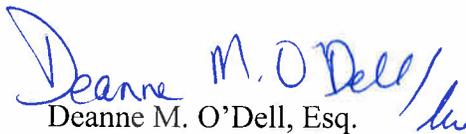
James McNulty, Secretary
PA Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265

Re: Petition of PECO Energy Company for Approval of its Revised Electric Purchase of
Receivables Program, Docket No. P-2009-2143607

Dear Secretary McNulty:

On behalf of Direct Energy Services, LLC enclosed please find the original Petition to Intervene along with the electronic filing confirmation page with regard to the above-referenced matter. Copies have been served in accordance with the attached Certificate of Service.

Sincerely yours,


Deanne M. O'Dell, Esq.

DMO/lww
Enclosure

cc: Cert. of Service w/enc.

CERTIFICATE OF SERVICE

I hereby certify that this day I served a copy of Direct Energy's Petition to Intervene upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

Via Email and/or First Class Mail

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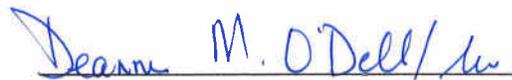
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Dated: December 14, 2009


Deanne M. O'Dell, Esq.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PECO Energy Company for :
Approval of its Revised Electric Purchase : Docket No. P-2009-2143607
of Receivables Program :

**PETITION TO INTERVENE OF
DIRECT ENERGY SERVICES, LLC**

Pursuant to 52 Pa. Code §§ 5.71-5.75, Direct Energy Services, LLC ("Direct Energy") submits this petition to intervene and participate in the above captioned proceeding regarding the petition of PECO Energy Company ("PECO") for Approval of its Revised Electric Purchase of Receivables ("POR") Program. In support of its intervention, Direct Energy states as follows:

Direct Energy is licensed by the Commission at No. A-110164 to provide electricity and related services to all classes of retail customers throughout Pennsylvania, including PECO's service territory. Direct Energy® is one of North America's largest energy and energy-related services provider with over 5 million residential and 60,000 commercial customer relationships. Direct Energy® provides customers with choice in energy supply and support in managing their energy costs through a portfolio of innovative products and services. Direct Energy® is a subsidiary of Centrica plc, the 7th largest utility company globally as ranked by Fortune Magazine's 2007 Fortune Global 500 with 32 million customer relationships with a Moody's Investor Services "A3" and Standard & Poor's "A-" financial ratings. Direct Energy® operates in 20 states, the District of Columbia, and across Canada, owns and operates natural gas production fields and 1260 megawatts (MWs) of natural gas-fired generation, has 813 MWs of power purchase agreements for output from wind farms, and provides energy efficiency services.

Direct Energy has a unique business model, and extensive experience in providing energy services to residential customers, small and large commercial and industrial ("C&I") customers, and government entities. The majority of Direct Energy's customers are residential and mass market (small business) customers. Direct Energy offers retail energy customers many products, including renewable, variable, and fixed-price programs.

1. Direct Energy's representatives in this matter are:

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2. On November 20, 2009, PECO filed its Petition and the Direct Testimony of John J. McCawley in support its request that the Commission approve its proposed POR program to be effective January 1, 2011. The POR program is being proposed in accordance with the Commission-approved settlement of PECO's default service program for the provision of electric service after December 31, 2010. Direct Energy was a party in that proceeding and a signatory of the settlement agreement in which PECO agreed to seek approval for a revised POR program consistent with the principals set forth in the settlement and after conducting three stakeholder meetings with interested parties. Direct Energy participated in these stakeholder meetings.

3. Pursuant to 52 Pa. Code § 5.72(a)(2), a person who has 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” may intervene in the proceeding.

4. Direct Energy has a direct interest in the outcome of this proceeding. Direct Energy is licensed by the Commission. It is interested in serving customers in the PECO service territory if it believes the market structure will support sustained and robust electric competition, especially among residential and small commercial customers. As the Commission itself recognized, implementation of a POR program “can reduce barriers to market entry”¹ and is an important tool for developing sustained and robust electric competition. To be effective, however, the POR program must be appropriately structured and Direct Energy has both formally and informally been actively involved in assisting in the development of the PECO POR program.

5. In its Petition, PECO offers its proposed structure for POR which, if implemented as requested, could be a significant step toward opening the market to retail competition. More specifically, PECO proposes a POR program without recourse, with a temporary initial discount, with the ability for PECO to terminate service for nonpayment of EGS charges and without restricting an EGS’s ability to simultaneously serve other customers through dual billing. From a competitive standpoint, these are all positive program features that are supported by Direct Energy. The final program that is approved by the Commission will directly impact whether or not Direct Energy will be able to serve residential and small commercial customers in PECO’s service territory. Thus, the Commission's final direction regarding this POR program will have a substantial impact on Direct Energy's future involvement in the market and, therefore, Direct Energy meets the standards for intervention in this proceeding.

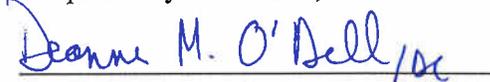
¹ *PPL Electric Utilities Corporation Retail Markets*, Docket No. M-2009-2104271, Tentative Order entered May 15, 2009.

6. In view of Direct Energy's unique business model, Direct Energy's interests in this proceeding cannot be adequately represented by other EGS parties with different business models and different customer target markets. Direct Energy's interests are also not adequately represented in this proceeding by a trade association (RESA) to which Direct Energy belongs, and which has also requested to intervene, because RESA's positions represent the consensus of its members and not necessarily the position of any particular member. Accordingly, Direct Energy's interest clearly satisfies the requirements of 52 Pa. Code § 5.72(a)(2).

7. In addition, the Commission's regulation provides that a person who has "[a]nother interest of such nature that participation of the petitioner may be in the public interest" may intervene in the proceeding. 52 Pa. Code § 5.72(a)(3). As a member of the Centrica group of companies providing energy and energy related services through over 30 million customer relationships worldwide, Direct Energy has the experience and resources to aid the Commission in carrying out its duties and responsibilities under the Electricity Generation Customer Choice and Competition Act² to ensure that the goals of the Act are met. Accordingly, Direct Energy's participation in this proceeding is clearly in the public interest.

WHEREFORE, Direct Energy Services, LLC respectfully requests that its petition to intervene in this proceeding be granted.

Respectfully submitted,



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Dated: December 14, 2009

² 66 Pa. C.S. §§ 2801-2812 ("Electric Choice and Competition Act").