

CITY OF PHILADELPHIA

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May 21, 2010

Via Electronic Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Petition to Intervene of the City of Philadelphia
Docket No. R-2010-2161575

Dear Secretary Chiavetta:

Enclosed for filing please find the Petition to Intervene of the City of Philadelphia in the above-referenced matter, along with a Certificate of Service showing that copies of the enclosed document have been served upon parties of record.

Very truly yours,


Scott J. Schwarz
Senior Attorney

Enclosure

cc: All Parties on the Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission :
v. : Docket No. R-2010-2161575
PECO Energy Company – Electric Division :

PETITION TO INTERVENE OF THE CITY OF PHILADELPHIA

Pursuant to 52 Pa. Code §§ 5.71-5.74, The City of Philadelphia (“City”) hereby files this Petition to Intervene in the above-captioned proceeding. In support thereof, the City states as follows:

1. Petitioner is The City of Philadelphia, City Hall, Philadelphia, Pennsylvania 19107.
2. The names and address of Petitioner’s attorneys are:

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3. On or about March 31, 2010, PECO Electric Company (PECO) filed a request for a base rate increase for electric delivery rates by \$316.4 million, effective May 30, 2010, as per PECO’s Statement in Volume I of its filing.
4. Petitioner is a corporation and body politic, organized and existing as a city of the first class under the Commonwealth of Pennsylvania and the Philadelphia

Home Rule Charter, and is engaged in the government and administration of the City of Philadelphia.

5. The City has interests that may be directly affected and that are not adequately represented by other participants, and as to which the Petitioner may be bound by the action of the Commission in this proceeding.

6. The City is among the largest electricity customers of PECO Energy. The City, both as a customer and as a political entity, relies on PECO's infrastructure in Center City and throughout Philadelphia, including the Philadelphia Airport System, City Hall and other municipal buildings, the Philadelphia Water Department operations and street lighting, among others.

7. The City currently has over 1,000 metered accounts with PECO and spends about \$60 million dollars per year with PECO on electricity purchased under various rates and riders, including Rates GS, HT, PD, SL-P, TL and AL. Any decision on these rates or riders or on PECO's requested Rate SL-E for Street Lighting Customer Owned Facilities or Rate TLCL for Traffic Lighting Constant Load Service or on Rate RS-2 would directly affect the City and its operations.

8. The City, as one of the largest electricity customers of PECO, has an interest in whether PECO's requested rates are appropriate.

9. The City has standing to intervene in matters involving PECO's requested rates as they directly affect it and its citizens.

10. The City has a significant interest in this proceeding that is not represented by any other party of record. In addition, the City's interest in the PECO's requested electric rates is of such nature that the City's participation in this proceeding is in the

public interest. Accordingly, the Commission should grant the City party status in this proceeding.

WHEREFORE, the City of Philadelphia respectfully request that the Commission grant this Petition to Intervene and provide the City with full party status.

Respectfully submitted,

The City of Philadelphia

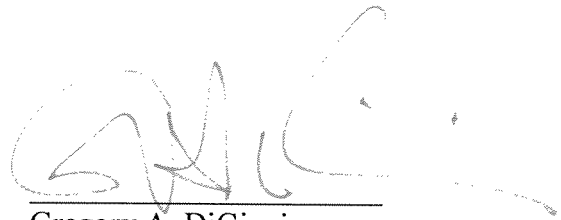


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VERIFICATION

I, Gregory A. DiGiovine, hereby declare that I am the Director of the Municipal Energy Office for the City of Philadelphia; that I am authorized to make this verification on the City of Philadelphia's behalf; that the facts set forth above are true and correct to the best of my knowledge, information, and belief; 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 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

Date: May 20, 2010



Gregory A. DiGiovine
Director
Energy Office
City of Philadelphia

CERTIFICATE OF SERVICE

I hereby certify that I am serving a true and correct copy of the foregoing document this day by first-class mail, postage-prepaid, and/or by electronic mail, on the parties listed below, addressed as follows:

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Dated: May 21, 2010