



CITY OF PHILADELPHIA

LAW DEPARTMENT  
One Parkway  
1515 Arch Street  
Philadelphia, PA 19102-1595

*Shelley R. Smith*  
*City Solicitor*

*(215) 683-5170 (phone)*  
*(215) 683-5175 (fax)*

May 21, 2010

Via Electronic Filing

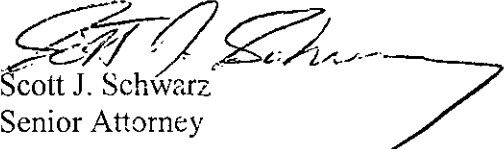
Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

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

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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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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:  
  
 J. Barry Davis, Esquire  
 Scott J. Schwarz, Esquire  
 City of Philadelphia Law Department  
 1515 Arch Street, 16<sup>th</sup> Floor  
 Philadelphia, PA 19102  
 j.barry.davis@phila.gov  
 scott.schwarz@phila.gov  
 215-683-5186 (Davis)  
 215-683-5170 (Schwarz)  
 Fax: 215-683-5175
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.

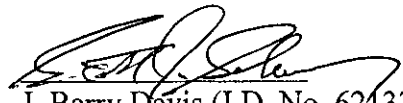
10. The City has a significant interest in this proceeding that is not represented by any other party of record. In addition, the City's interest in the PECO's requested electric rates is of such nature that the City's participation in this proceeding is in the

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



J. Barry Davis (I.D. No. 62137)  
Scott J. Schwarz (I.D. No. 38224)  
Law Department  
City of Philadelphia  
1515 Arch Street, 16<sup>th</sup> Floor  
Philadelphia, PA 19102  
Phone: 215-683-5186 (Davis)  
215-683-5170 (Schwarz)  
Fax: 215-683-5175

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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

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## 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:

Honorable Marlene R. Chestnut  
Administrative Law Judge  
Pennsylvania Public Utility Commission  
801 Market Street, Suite 4063  
Philadelphia, PA 19107  
mchestnut@state.pa.us  
kneisborella@stata.pa.us

Honorable Christopher Pell  
Administrative Law Judge  
Pennsylvania Public Utility Commission  
801 Market Street, Suite 4063  
Philadelphia, PA 19107  
cpell@state.pa.us

Anthony E. Gay, Esquire  
Jack R. Garfinkle  
Exelon Business Service Company  
2301 Market Street, S23-1  
P.O. Box 8699  
Philadelphia, PA 19101-8699  
anthony.gay@exceloncorp.com  
jack.garfinkle@exceloncorp.com

Thomas P. Gadson, Esquire  
Anthony C. DeCusatis, Esquire  
Catherine G. Vasudevan  
Morgan Lewis & Bockius LLP  
1701 Market Street  
Philadelphia, PA 19103-2921  
tgadson@morganlewis.com  
adecusatis@morganlewis.com  
cvasudevan@morganlewis.com

Johnnie E. Simms, Esquire  
Adelou A. Bakare, Esquire  
Office of Trial Staff  
Pennsylvania Public Utility Commission

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P.O. Box 3265  
Harrisburg, PA 17105-3265  
josimms@state.pa.us  
abakare@state.pa.us

Candis A. Tunilo, Esquire  
Tanya J. McClosky, Esquire  
Office of Consumer Advocate  
555 Walnut Street  
5<sup>th</sup> Floor, Forum Place  
Harrisburg, PA 17101  
tmcclosky@paoca.org  
ctunilo@paoca.org

Charis Mincavage, Esquire  
Barry A. Naum, Esquire  
Carl J. Zwick  
McNees Wallace & Nurick LLC  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166  
dkleppinger@mwn.com  
cmincavage@mwn.com  
bnaum@mwn.com  
czwick@mwn.com

Sharon E. Webb, Esquire  
Assistant Small Business Advocate  
Office of Small Business Advocate  
Commerce Building, Suite 1102  
300 N. Second Street  
Harrisburg, PA 17101  
717-783-2525  
swebb@state.pa.us

Thu B. Tran, Esquire  
Philip Bertocci, Esquire  
Jonathan M. Stein, Esquire  
Geroge D. Gould, Esquire  
Community Legal Services, Inc.  
1424 Chestnut Street  
Philadelphia, PA 19103  
pbertocci@clsphila.org  
ttran@clsphila.org

Harry S. Geller

John G. Gerhard  
Pennsylvania Utility Project  
118 Locust Street  
Harrisburg, PA 17101  
hgellerpulp@palegalaid.net  
jgerhardpulp@palegalaid.net

Thomas Tuffey, Esquire  
Charles McPhederan, Law Staff Chair  
PennFuture  
1518 Walnut Street, Suite 1100  
Philadelphia, PA 19102  
ttuffey@pennfuture.org  
lane@pennfuture.org

Gary A. Jeffries, Esquire  
Assistant General Counsel  
Dominion Retail, Inc.  
501 Martindale Street, Suite 400  
Pittsburgh, PA 15212-5817  
Gary.A.Jeffries@dom.com

Todd S. Steward, Esquire  
Hawke McKeon & Sniscak, LLP  
P.O. Box 1778  
100 N. Tenth Street  
Harrisburg, PA 17105-1778  
tsteward@hmslegal.com

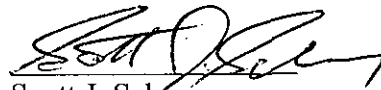
C. Stanley Stubbe, Esquire  
Pennsylvania Section  
International Dark Sky Association  
1438 Shaner Drive  
Pottstown, PA 19465  
csstubbe@cs.com

Richard N. Lipow, Esquire  
629 Swedesford Road  
Malvern, PA 19355  
richard@lipowlaw.com

Leo Smith  
Northeast Regional Director  
International Dark Sky Association  
1060 Mapleton Avenue  
Suffield, CT 06078

leo@smtih.net

Charles T. Joyce, Esquire  
Spear Wilderman, P.C.  
230 South Broad Street, mSuite 1400  
Philadelphia, PA 19102  
ctjoyce@spearwilderman.com



Scott J. Schwarz  
Senior Attorney  
City of Philadelphia, Law Department  
1515 Arch Street, 16<sup>th</sup> Floor  
Philadelphia, PA 19102

E-mail: scott.schwarz@phila.gov  
Attorney I.D. # 38224  
Phone: 215-683-5170  
Fax: 215-683-5175

Dated: May 21, 2010

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PHILADELPHIA, PA 19102-1595

*J. Schwarz*

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

