

**PENNSYLVANIA UTILITY LAW PROJECT**

**118 LOCUST STREET  
HARRISBURG, PA 17101-1414**

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November 5, 2010

**VIA ELECTRONIC FILING (E-FILING)**

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

**Re: PPL Electric Utilities Corporation Universal Service and Energy  
Conservation Plan for 2011 through 2013  
Docket No. M-2010-2179796**

Dear Secretary Chiavetta:

Enclosed for filing please find an Amended Petition to Intervene on behalf of Pennsylvania Communities Organizing for Change ("PCOC") d/b/a Action United Inc., associated with the above-captioned proceeding. A Certificate of Service is attached.

Please contact me with any questions.

Very truly yours,



Julie George, Esq.  
*Counsel for PCOC*

Enclosures

cc: Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PPL Electric Utilities Corporation Universal  
Service and Energy Conservation Plan for 2011  
through 2010

Docket No. M-2010-2179796

**CERTIFICATE OF SERVICE**

I hereby certify that I have today served a true copy of the Amended Petition to Intervene upon the parties listed below, in accordance the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

**VIA E-MAIL AND FIRST CLASS MAIL**

ALJ Susan D. Colwell PA Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105-3265	Richard A. Kanaskie, Esq. PA PUC Office of Trial Staff PO Box 3265 Harrisburg, PA 17101
Paul E. Russell, Esq. Associate General Counsel PPL Services Corp. 2 North 9th Street Allentown, PA 18101	Craig R. Burgraff, Esq. Hawke, McKeon, & Sniscak LLP 100 N. 10th Street P.O. Box 1778 Harrisburg, PA 17101
Aron J. Beatty, Esq. Office of Consumer Advocate 555 Walnut Street, 5th Floor Harrisburg, PA 17101-1923	William R. Lloyd, Jr. Esq. Office of Small Business Advocate 1102 commerce Building 300 North Second Street Harrisburg, PA 17101
Eric J. Epstein 4100 Hillsdale Road Harrisburg, PA 17112	

  
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Julie George, Esq.  
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[pulp@palegalaid.net](mailto:pulp@palegalaid.net)

Dated: November 5, 2010

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**PPL Electric Utilities Corporation :  
Universal Service and Energy :                   Docket No. M-2010-2179796  
Conservation Plan for 2011 through 2013 :**

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**AMENDED PETITION TO INTERVENE ON BEHALF OF  
PENNSYLVANIA COMMUNITIES ORGANIZING FOR CHANGE  
d/b/a ACTION UNITED, INC. (“PCOC”)**

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TO THE HONORABLE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Pennsylvania Communities Organizing for Change d/b/a Action United, Inc. (“PCOC”), 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:

1. On June 1, 2010, pursuant to 52 Pa. Code §62.4(1), PPL Electric Utilities Corporation (“PPL” or “the company”) filed for approval of its Universal Service and Energy Conservation Plan 2011-2013 (“Plan”) at Docket Number M-2010-2179796. The Plan outlines how the company will administer its Universal Service and Energy Conservation programs during the three year period of 2011-2013, including its OnTrack Payment Program, Winter Relief Assistance Program (“WRAP”), Customer Assistance, Referral and Evaluation Service (“CARES”) and hardship fund, Operation

HELP. The Plan also discusses the company's administration of the federal Low Income Home Energy Assistance Program ("LIHEAP").

2. On October 4, 2010, a Notice of Initial Prehearing Conference was issued which set the prehearing conference for Friday, October 29, 2010 and assigned the matter to Administrative Law Judge Susan Colwell.
3. On October 25, 2010, Pennsylvania Communities Organizing for Change filed a Petition to Intervene.
4. On October 29, 2010, at the prehearing conference, PPL challenged PCOC's Petition to Intervene due to lack of inclusion of necessary information.
5. On October 29, 2010, ALJ Colwell issued a Scheduling Order requiring PCOC to provide supplemental information to its Petition to Intervene regarding:
  - a. the type of organization
  - b. whether Petitioner is a customer of PPL
  - c. its membership and whether its members are customers of PPL
  - d. the relationship between the signatory to its Verification and Petitioner<sup>1</sup>
6. In accord with the October 29, 2010 Scheduling Order, the necessary information is included herein.
7. The Petitioner, PCOC, is a not-for-profit membership-based advocacy organization incorporated in Pennsylvania. Its application for 501(c)(4) status is pending. PCOC's

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<sup>1</sup> *PPL Electric Utilities Corporation Universal Service and Energy Conservation Plan for 2011 through 2013*, Docket No. M-2010-2179796 (Scheduling Order, October 29, 2010).

mission is to advocate on behalf of low and lower income persons on numerous consumer issues, including access to and affordability of utility service.

8. PCOC is a statewide organization. PCOC does not have an office in PPL territory. Many PCOC members reside within PPL's service territory and are customers of the company<sup>2</sup>; they rely on the company for their electricity, including heating and cooling needs, and will be affected by the issues presented in this proceeding. In particular, they participate in or are potentially eligible to participate in and receive the benefits of PPL's Universal Service and Energy Conservation programs. The interests of these individuals will be affected directly by the issues addressed in this proceeding. They therefore have a direct, immediate, substantial, and distinct interest in this proceeding.
9. PCOC seeks to intervene in this proceeding to ensure the interests of its members are heard and safeguarded. No other active party in this proceeding exclusively represents the unique and particular interests of low-income consumers. As such, the interests of PCOC low-income members are not adequately represented despite the fact that PCOC members will be bound by the Commission's decision. PCOC's intervention in this proceeding will remedy this situation and ensure that the unique and particular interests of low-income consumers are adequately represented.
10. The Electricity Generation Customer Choice and Competition Act states, inter alia:

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<sup>2</sup> PCOC members who are PPL customers include: Shirley A. Edmonds 1315 N. 14th St, Harrisburg, PA 17103; John Hairston 3223 N. 6th St, Harrisburg, PA 17110; Brenda H. Fisher 341 Emerald St, Harrisburg, PA 17110; and Helena M. Johnson 116 N. Summit St, Harrisburg, PA 17103. These PCOC members have permitted their identification in this proceeding and are representative of a larger segment of PCOC members who are PPL customers and will be affected by this proceeding.

- a. “The commission shall ensure continuation of safe and reliable electric service to all consumers in the Commonwealth.” 66 Pa.C.S. § 2804(1);
- b. “Customer services shall, at a minimum, be maintained at the same level of quality under retail competition.” 66 Pa.C.S. § 2807(d); and
- c. “The commission shall ensure that universal service and energy conservation policies, activities and services are appropriately funded and available in each electric distribution territory. The commission shall encourage the use of community-based organizations that have the necessary technical and administrative experience to be the direct providers of services or programs which reduce energy consumption or otherwise assist low-income customers to afford electric service. Programs under this paragraph shall be subject to the administrative oversight of the commission, which shall ensure that the programs are operated in a cost-effective manner.” Id. at § 2804(9).

11. The Commission has a statutory obligation to ensure the continuance of reliable service; to, at a minimum, continue the level and nature of the consumer protections, policies, and services; and to ensure universal service and energy conservation policies, activities and services are appropriately funded and available in each electric distribution territory. PCOC submits these obligations provide the grounds upon which PCOC may petition to intervene in this proceeding, a proceeding in which the availability and funding of universal service and energy conservation policies, activities, and services will be scrutinized and a proceeding in which the continuance and reliability of service to low and lower income households will be a central feature.

12. 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.  
Julie George, Esq.  
Pennsylvania Utility Law Project  
118 Locust Street, Harrisburg, PA, 17101  
Tel. 717-236-9486  
Fax 717-233-4088  
[pulp@palegalaid.net](mailto:pulp@palegalaid.net)

**WHEREFORE**, PCOC respectfully requests that the Pennsylvania Public Utility Commission grant this Amended Petition to Intervene and make such other orders as are just and appropriate.

Respectfully submitted,

A handwritten signature in blue ink, reading "Julie George", is written over a horizontal line.

Harry S. Geller, Esq.  
Julie George, Esq.  
Pennsylvania Utility Law Project  
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Dated: November 5, 2010

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**PPL Electric Utilities Corporation** :  
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**Conservation Plan for 2011 through** :  
**2013**

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**VERIFICATION**

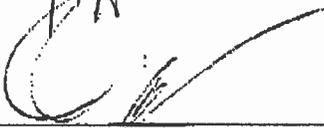
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I, Craig Robbins, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

Date:

11/4/2010

Signature:



**Craig Robbins**  
**Executive Director**  
**Pennsylvania Communities Organizing for Change**  
**d/b/a Action United, Inc.**  
**846 North Broad Street - 2nd Floor**  
**Philadelphia, PA 19130**