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February 13, 2011

**Via Electronic Filing**

Rosemary Chiavetta, Secretary  
PA Public Utility Commission  
PO Box 3265  
Harrisburg, PA 17105-3265

Re: Petition of PECO Energy Company for Approval of  
Its Default Service Program; Docket No. P-2012-2283641

Dear Secretary Chiavetta:

On behalf of ChoosePAWind.com ("ChoosePAWind") enclosed please find the original of its Petition to Intervene, with the electronic filing confirmation page, with regard to the above-referenced matter.

Sincerely,



Carl R. Shultz

Enclosures

cc: Hon. Dennis J. Buckley (w/enc)  
Certificate of Service (w/enc)

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of ChoosePAWind.com's Petition to Intervene upon the participants listed below in accordance with the requirements of § 1.54 (relating to service by a participant).

**VIA EMAIL AND FIRST CLASS MAIL**

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Date: February 13, 2012

  
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Carl R. Shultz, Esquire

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition Of PECO Energy Company For :  
Approval Of Its Default Service Program : Docket No. P-2012-2283641  
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**PETITION TO INTERVENE  
OF CHOOSEPAWIND.COM**

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Pursuant to 52 Pa. Code §§ 5.72-5.75, the ChoosePAWind.com (“ChoosePAWind”)<sup>1</sup> petitions to intervene in the Petition of PECO Energy Company (“PECO” or Company”) for Approval of its Default Service Program (“DSP Petition”). In support of its intervention, ChoosePAWind states as follows:

1. On January 13, 2012, PECO Energy Company (“PECO”) filed a petition for approval of a default service program for the period from June 1, 2013 through May 31, 2015. This is PECO’s second proposed program for default service under Pennsylvania’s Electricity Generation Customer Choice and Competition Act, 66 Pa. C.S. §§ 2801-2812.
2. Notice of the DSP Petition was published in the *Pennsylvania Bulletin*. 42 Pa.B. 642 (Saturday, January 28, 2012). That notice required that formal protests, petitions to intervene and answers to the DSP Petition be filed by Monday, February 13, 2012.
3. ChoosePAWind is an initiative to encourage energy consumers in the Commonwealth to power their businesses and homes with energy from Pennsylvania wind farms. Participants in ChoosePAWind include developers, owners and operators of wind farms

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<sup>1</sup> The comments expressed in this filing represent the position of ChoosePAWind.com as an organization but may not represent the views of any particular participant or supporter of ChoosePAWind.com.

in Pennsylvania and is open to all electric generation suppliers (“EGSs”) that support wind energy in the Commonwealth, including the service territory of PECO .<sup>2</sup> Other participants sell wind power to large power purchasers throughout Pennsylvania.<sup>3</sup> The supporters of ChoosePAWind are organizations are committed to work towards a cleaner and stronger Pennsylvania by supporting the use of local wind energy.<sup>4</sup>

4. ChoosePAWind’s representative in this matter is:

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5. The Commission’s regulations allow intervention where a person has an interest in the proceeding which may be directly affected and which is not adequately represented by existing parties, and as to which the person may be bound by the action of the Commission in the proceeding. 52 Pa. Code § 5.72(a)(2). Intervention is also permitted where participation of the person may be in the public interest. 52 Pa. Code § 5.72(a)(3). A “person” includes a corporation and an association. 52 Pa. Code § 1.8.

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<sup>2</sup> The participants include Community Energy, Inc. (A-110152), which is licensed to sell to residential, commercial, industrial & governmental customers throughout Pennsylvania, and the Energy Cooperative Association of Pennsylvania (A-110056), which is a Broker/Marketer, Aggregator working with residential, commercial, and governmental customers in PECO’s service territory.

<sup>3</sup> <http://www.choosepawind.com/buy-pa-wind>.

<sup>4</sup> <http://www.choosepawind.com/supporters>

6. ChoosePAWind meets the standards for intervention set forth in 52 Pa. Code § 5.72(a). The participants and supporters of ChoosePAWind will be bound by the action of the Commission in this proceeding, which will determine PECO's default service rates, terms and conditions for beginning June 2013 as well as the terms and conditions for the various retail market enhancement programs proposed by PECO. Because at least one of the participants in ChoosePAWind has or will suffer a direct, immediate, and substantial injury to an interest as a result of this proceeding, ChoosePAWind has standing to intervene. See, e.g., Energy Cons. Council of Pa. v. Pa. P.U.C., 995 A.2d 465,476 (Pa. Cmwlth. 2010).

7. ChoosePAWind has, and its participants and supporters have, interests in the impact that the proposal Default Service Plan has on the provision of "green energy" products in PECO's service territory. As part of the DSP Petition, PECO has proposed the elimination of its Wind Energy Service Rider. DSP Petition, at ¶ 37. As the PECO Wind program is eliminated, PECO will refer current PECO Wind customers to interested EGSs who can offer these customers a "green energy" product. DSP Petition, at ¶ 58. The implementation of such proposals directly impacts the efforts of ChoosePAWind.

8. ChoosePAWind believes that referrals by PECO should include a reference to ChoosePAWind. Specifically, ChoosePAWind wants to make sure that there is some written notice to PECO's customers concerning the availability of local Pennsylvania "green energy" products, and that said notice includes a reference to ChoosePAWind – as well as PA PowerSwitch and the Consumer Shopping Guides provided by the Office of Consumer Advocate ("OCA").

9. At this time, GMEC continues to evaluate its position on the PECO's proposals related to the Wind Program and will refine its position based on further study of the proposals, review of discovery and additional input from other parties.

10. ChoosePAWind's intervention is in the public interest. ChoosePAWind's participation will enable it to contribute the unique perspectives and insights of its participants and supporters on the "green energy" issues to be addressed in this proceeding.

**WHEREFORE**, it is respectfully requested that the Commission grant ChoosePAWind's Petition to Intervene.

Respectfully submitted,



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Date: February 13, 2012

Attorneys for ChoosePAWind.com