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April 19, 2012

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor  
Harrisburg, PA 17120

**VIA HAND DELIVERY**

**RE: Pennsylvania Public Utility Commission v. PECO Energy Company;  
Docket No. R-00973953**

Dear Secretary Chiavetta:

Enclosed for filing with the Pennsylvania Public Utility Commission ("PUC" or "Commission") are the original and three (3) copies of the Petition to Intervene of the Philadelphia Area Industrial Energy Users Group ("PAIEUG"), in the above-referenced proceeding.

As evidenced by the attached Certificate of Service, all parties to the proceeding are being served with a copy of this document. Please date stamp the extra copy of this transmittal letter and Petition, and kindly return them to our messenger for our filing purposes. Thank you.

Sincerely,

McNEES WALLACE & NURICK LLC

By   
Adeolu A. Bakare

Counsel to the Philadelphia Area Industrial Energy Users Group

/lmc  
Enclosures  
c: Certificate of Service

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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC  
UTILITY COMMISSION

v.

PECO ENERGY COMPANY

:  
:  
:  
:  
:  
:

DOCKET NO. R-00973953

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**PHILADELPHIA AREA INDUSTRIAL ENERGY USERS GROUP  
PETITION TO INTERVENE**

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TO THE HONORABLE, THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Pursuant to the provisions of 52 Pa. Code §§ 5.71 - 5.74, the Philadelphia Area Industrial Energy Users Group ("PAIEUG") hereby files this Petition to Intervene with the Pennsylvania Public Utility Commission ("PUC" or "Commission") in the above-captioned proceeding. In support thereof, PAIEUG states as follows:

1. Petitioner is the Philadelphia Area Industrial Energy Users Group ("PAIEUG").

The composition of PAIEUG at this point in time is attached hereto as Appendix "A." Appendix "A" will be updated as necessary.

2. The names and address of Petitioner's attorneys are:

Charis Mincavage  
Adeolu A. Bakare  
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3. On March 30, 2012, PECO Energy Company ("PECO" or "Company") filed an update with the PUC to address the revenue recovered via the Company's Nuclear Decommissioning Cost Adjustment ("NDCA"). Specifically, the Company is proposing to adjust the NDCA from its current rate of \$0.0000 per kWh to a credit of \$0.0002 per kWh, as of January 1, 2013. The purpose of this adjustment is to provide for the appropriate recovery of nuclear decommissioning costs related to PECO's interest in nuclear generation as of December 31, 1999.

4. PAIEUG is an ad hoc group of energy-intensive customers receiving electric service under PECO's Rates HT (High Tension Power) and PD (Primary Distribution Power). PAIEUG members use substantial volumes of electricity in their manufacturing and operational processes, and these electric costs are a significant element of their respective costs of operation. The PUC's disposition of PECO's NDCA Filing will have an impact upon the rates PAIEUG members pay for electricity service.

5. The NDCA stems from the Joint Petition for Settlement ("Joint Petition") reached in PECO's Electric Restructuring Proceeding pursuant to the Electricity Generation Customer Choice and Competition Act ("Competition Act"). The Joint Petition addressed a number of issues raised in PECO's Restructuring Filing, including the Company's decommissioning costs.

6. According to PECO, the aforementioned adjustment to the NDCA will ensure that PECO recovers revenues in proportion to its adjusted annual expense accrual associated with nuclear decommissioning of former PECO-owned generation units. Specifically, PECO submits that its adjusted annual expense accrual indicates that the Company will need to reduce revenue recovered through the NDCA by \$5.42 million per year. The reduced revenue requirement results in an NDCA credit of \$0.0002 per kWh for PECO customers. As PAIEUG members are among the largest of

PECO's customers in terms of consumption, the PUC's disposition of PECO's NDCA filing may have a substantial impact on PAIEUG members' electric service.

7. Therefore, consistent with 52 Pa. Code § 5.72(a), PAIEUG has significant interest in this proceeding, and PAIEUG is not represented by any other party of record. Accordingly, PAIEUG should be granted intervenor status in this proceeding.

**WHEREFORE**, the Philadelphia Area Industrial Energy Users Group respectfully request that the Commission grant this Petition to Intervene and provide PAIEUG with full party status.

Respectfully submitted,

McNEES WALLACE & NURICK LLC

By 

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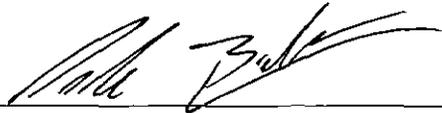
Dated: April 19, 2012

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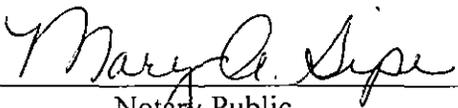
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COMMONWEALTH OF PENNSYLVANIA )  
 ) SS:  
COUNTY OF DAUPHIN )

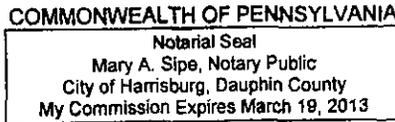
Adeolu A. Bakare, being duly sworn according to law, deposes and says that he is counsel to the Philadelphia Area Industrial Energy Users Group, and that in this capacity he is authorized to and does make this affidavit for them, and that the facts set forth in the foregoing Petition to Intervene are true and correct to the best of his knowledge, information and belief.

  
\_\_\_\_\_  
Adeolu A. Bakare

SWORN TO and subscribed  
before me this 19<sup>th</sup> day  
of April, 2012.

  
\_\_\_\_\_  
Notary Public

(SEAL)



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**APPENDIX "A"**

**PHILADELPHIA AREA INDUSTRIAL ENERGY USERS GROUP**

Air Liquide Industrial U.S. LP  
Boeing Company, The  
Building Owners & Managers Association of Philadelphia  
Drexel University  
Franklin Mills Associates Limited Partnership  
GlaxoSmithKline  
Jefferson Health System  
Kimberly-Clark Corporation  
Merck & Co., Inc.  
Philadelphia College of Osteopathic Medicine  
Saint Joseph's University  
Sunoco, Inc.  
Temple University  
United States Steel  
Villanova University

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## CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the participants listed below in accordance with the requirements of Section 1.54 (relating to service by a participant).

### VIA E-MAIL AND FIRST-CLASS MAIL

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\_\_\_\_\_  
Adeolu A. Bakare

Counsel to the Philadelphia Area Industrial Energy  
Users Group

Dated this 19<sup>th</sup> day of April, 2012, in Harrisburg, Pennsylvania.

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