

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Petition of PPL Electric Utilities Corporation for Approval of its
Default Service Program and Procurement Plan for the Period of
June 1, 2013 through May 21, 2015**

Docket Nos. P-2012-2302074

**Petition to Intervene of the Coalition for Affordable Utility Services
and Energy Efficiency in Pennsylvania**

The Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (“CAUSE-PA”), through its counsel at the Pennsylvania Utility Law Project, hereby files this Petition to Intervene in the 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 §§ 5.71-5.76, and in support, states as follows:

1. On May 1, 2012 PPL Electric Utilities Corporation (“PPL” or the “Company”) filed a Petition for Approval of its Default Service Program. In addition to specifying its procurement strategy for the default service period in question, PPL has proposed a retail opt-in aggregation program, a standard offer customer referral program, and a new and moving customer program in response to the Commission’s March 2, 2012 Order in *Investigation of Pennsylvania’s Retail Electricity Markets*, Docket No. I-2011-2237952.

2. The structure and effect that these retail market enhancement programs have on the affordability of service for low-income customers is of particular concern to CAUSE-PA and will be the primary focus of its efforts in this case.

3. By Notice filed in the Pennsylvania Bulletin on May 19, 2012, the Commission directed that formal protests, petitions to intervene, and answers to PPL's petition must be filed the Secretary of the Commission on or before June 4, 2012. 42 Pa.B. 2871.

4. CAUSE-PA is filing this Petition to Intervene consistent with the Commission's notice.

5. Eligibility to intervene in Commission proceedings is governed by 52 Pa. Code § 5.72. This section provides, in relevant part, that "[a] petition to intervene may be filed by a person claiming a right to intervene or an interest of such nature that intervention is necessary or appropriate to the administration of the statute under which the proceeding is brought." 52 Pa. Code § 5.72(a).

6. Section 5.72 further provides that the right or interest may be one "which may be directly affected and which is not adequately represented by existing participants, and as to which the petitioner may be bound by the action of the Commission in the proceeding." 52 Pa. Code. § 5.72(a)(2).

7. Even though Section 5.72 speaks of the rights of a "person" to intervene, the Commonwealth Court has consistently stated that "an association may have standing as a representative of its members . . . as long as an organization has at least one member who has or will suffer a direct, immediate, and substantial injury to an interest as a result of the challenged action, [i.e., is aggrieved, the organization] has standing." *Energy Cons. Council of Pa. v. Pa. P.U. C.*, 995 A.2d 465, 476 (Pa. Cmwlth. 2010) (alteration in original) (citing *Tripps Park v. Pa. P.U. C.*, 415 A.2d 967 (Pa. Cmwlth. 1980) and *Parents United for Better Schools v. School District of Philadelphia*, 614 A.2d 689 (Pa. Cmwlth. 1994)).

8. CAUSE-PA is an unincorporated association of low-income individuals that advocates on behalf of its members to enable consumers of limited economic means to connect to and maintain affordable water, electric, heating and telecommunication services.

9. CAUSE-PA membership is open to moderate- and low-income individuals residing in the Commonwealth of Pennsylvania who are committed to the goal of helping low-income families maintain affordable access to utility services and achieve economic independence and family well-being.

10. CAUSE-PA is located, c/o the Pennsylvania Legal Aid Network, at 118 Locust Street, Harrisburg, PA 17101.

11. CAUSE-PA has interests in the impact that the proposed Default Service Plan has on low-income residential customers.

12. Specifically, CAUSE-PA has interest in ensuring the low-income customers are protected from price increases and the potential price volatility that may result from PPL's proposed retail market enhancements.

13. The interests of CAUSE-PA are not adequately represented by other participants.

14. At least one member of CAUSE-PA is a customer of PPL and will be directly affected by the outcome of this proceeding.¹

15. Because at least one member of CAUSE-PA has or will suffer a direct, immediate, and substantial injury to an interest as a result of this proceeding, CAUSE-PA has standing to intervene. *See Energy Cons. Council of Pa.*, 995 A.2d at 476.

¹ Ms. Lorrie Koons is a member of CAUSE-PA and a customer of PPL.

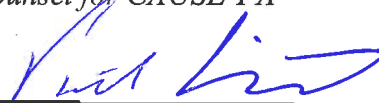
16. CAUSE-PA is represented in this proceeding by:

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WHEREFORE, CAUSE-PA respectfully requests that the Presiding Officer enter an order granting CAUSE-PA full status as an intervenor in this proceeding.

Respectfully submitted,

PENNSYLVANIA UTILITY LAW PROJECT
Counsel for CAUSE-PA




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June 4, 2012

VERIFICATION

I, **Dorothy Young**, a member of the Executive Committee of the Coalition for Affordable Utility Services and Energy Efficiency (“CAUSE-PA”), on behalf of CAUSE-PA, hereby state that the facts contained in the foregoing pleading are true and correct to the best of my knowledge, information and belief, that I am duly authorized to make this Verification, 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 10 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

Date: *5-29-2012*



Dorothy Young, on behalf of the
Executive Committee of the Coalition for
Affordable Utility Services and Energy
Efficiency in Pennsylvania (CAUSE-PA)