

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Duquesne Light Company
for approval of Default Service Plan for
the Period June 1, 2013 through May
31, 2015

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P-2012-2301664

**PETITION TO INTERVENE OF THE
RETAIL ENERGY SUPPLY ASSOCIATION**

Pursuant to 52 Pa. Code §§ 5.72-5.75, the Retail Energy Supply Association ("RESA")¹ petitions to intervene in the Petition of Duquesne Light Company ("Duquesne" or Company") for Approval of its Default Service Program ("DSP Petition"). In support of its intervention, RESA states as follows:

1. On or about April 27, 2012, Duquesne filed a petition for approval of a default service program for the period June 1, 2013 through May 31, 2015.
2. On May 16, 2012, the Commission issued a Prehearing Conference Order requiring formal protests and petitions to intervene to the DSP Petition be filed on or before Monday, June 4, 2012.
3. RESA is a trade association of power marketers, independent power producers, and a broad range of companies within the Mid-Atlantic marketplace, each of whom support the electric services industry and seek to develop a more competitive power industry. RESA members are licensed to sell electric energy in the markets of Pennsylvania's major EDCs, including the service territory of Duquesne.

¹ RESA's members include: Champion Energy Services, LLC; ConEdison *Solutions*; Constellation NewEnergy, Inc.; Direct Energy Services, LLC; Energetix, Inc.; Energy Plus Holdings LLC; Exelon Energy Company; GDF SUEZ Energy Resources NA, Inc.; Green Mountain Energy Company; Hess Corporation; Integrys Energy Services, Inc.; Just Energy; Liberty Power; MC Squared Energy Services, LLC; Mint Energy, LLC; NextEra Energy Services; Noble Americas Energy Solutions LLC; PPL EnergyPlus, LLC; Reliant; Stream Energy; TransCanada Power Marketing Ltd. and TriEagle Energy, L.P. The comments expressed in this filing represent the position of RESA as an organization but may not represent the views of any particular member of RESA.

4. RESA's representatives in this matter are:

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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.

6. RESA meets the standards for intervention set forth in 52 Pa. Code § 5.72(a). As an organization whose members include competitive electric generation suppliers ("EGSs") licensed to do business in Duquesne's service territory, RESA has interests that will be directly affected by this proceeding. The ability of RESA's members to provide electric supply to retail customers in Duquesne's service territory will be specifically and substantially affected by the outcome of this proceeding, which will establish the terms and conditions under which Duquesne will acquire electric supply to serve its Default Service load from June 1, 2013 through May 31, 2015 and, thus, the rates against which RESA members must compete to sell electricity to retail customers in Duquesne's service territory. In addition, the petition proposes to establish various retail market markets such as an opt-in auction, a customer referral program, and a new/moving customer referral program, among other retail market enhancement proposals, in which EGS participation is necessary.

7. RESA's interests in this proceeding are unique from and not adequately represented by other parties that may seek to intervene, including individual EGSs or other

organizations interested in electric competition in Pennsylvania in general and in Duquesne's service territory in particular. This is because RESA represents the interests of a diverse and broad group of EGSs in general, and not the interests of any individual member or EGS.

8. RESA's members will be bound by the action of the Commission in this proceeding, which will determine Duquesne'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 Duquesne.

9. RESA's intervention is in the public interest. RESA's participation will enable it to contribute the unique perspectives and insights of a trade association representing multiple EGSs and complete presentation of the issues to be addressed in this proceeding. It should be noted that RESA actively participated in most of the default service proceedings that developed the current default service plans for Duquesne. RESA has also been an active participant in the Commission's Retail Market Investigation at docket number I-2011-223752 which has been investigating most of the issues to be addressed in this proceeding.

10. Due to the early stage of this proceeding, RESA reserves the right to raise and address issues identified through its continued review and analysis of Duquesne's DSP Petition (and related information), or other issues raised by other parties.

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

Respectfully submitted,



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Counsel to Intervenor Retail Energy Supply Association

Dated: June 4, 2012

CERTIFICATE OF SERVICE

I do hereby certify that on June 4, 2012, a true and correct copy of the foregoing document was served upon the following via United States First Class Mail:

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