

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PPL Electric Utilities Corporation :
for Approval of its Act 129 Phase II : M-2012-2334388
Energy Efficiency and Conservation Plan :

**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 November 15, 2012, PPL Electric Utilities Corporation (“PPL” or the “Company”) filed a Petition for Approval of its Act 129 Phase II Energy Efficiency and Conservation Plan (“Phase II EE&C Plan” or “Plan”) with the Pennsylvania Public Utility Commission (Commission) in compliance with 66 Pa.C.S. § 2806.1(b) (relating to energy efficiency and conservation programs.)
2. In accordance with the Energy Efficiency and Conservation Program Implementation Order, entered on August 3, 2012, at Docket Nos. M-2008-2069887 and M-2012-2289411, the Commission directed that responsive pleadings along with comments and recommendations are to be filed with the Commission within 20 days of the publication of notice in the *Pennsylvania Bulletin*.

3. Notice of PPL's filing of its proposed Phase II EE&C Plan was published in the *Pennsylvania Bulletin* on December 1, 2012. 42 Pa.B. 7372.

4. CAUSE-PA is filing this Petition to Intervene consistent with the Commission's August 3, 2012 Order and publication of notice on December 1, 2012 in the *Pennsylvania Bulletin*.

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. Cmmw. 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 Act 129 Phase II Energy Efficiency and Conservation Plan has on low-income residential customers.

12. Specifically, CAUSE-PA intends to address, among other issues, whether the proposed Phase II EE&C Plan ensures that the low income population, as defined in the Act, is correctly targeted; whether those low income customers obtain a share of the total energy savings that is in accord with the Commission's August 3, 2012 Order; and whether the measures employed, and methods of coordination and education are appropriate and comport with and satisfy the requirements of Act 129 and Commission Orders.

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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December 6, 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: December 6, 2012


Dorothy Young

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CERTIFICATE OF SERVICE

I hereby certify that on **December 6, 2012** I have served copies of the **Petition to Intervene of CAUSE-PA**, as set forth below in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

FIRST-CLASS MAIL & E-MAIL

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Respectfully submitted,



Dated: December 6, 2012

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