

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Petition of PPL Electric Utilities Corporation** :  
**for Approval of its Default Service** :  
**Program for the Period** : **Docket No. P-2014-2417907**  
**June 1, 2015 through May 31, 2017** :

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

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Pursuant to the provisions of the Rules of Practice and Procedure of the Pennsylvania Public Utility Commission (“PUC” or “Commission”), 52 Pa. Code §§ 5.61-5.76, 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 and Answer to the Petition filed by PPL Electric Utilities Corporation (“PPL Electric” or “the Company”) for Approval of its Default Service Program for the period commencing June 1, 2015 through May 31, 2017, and in support, states as follows:

1. On April 18, 2014, PPL Electric filed the aforementioned Petition.
2. Subsequent to this filing, the Public Utility Commission’s Secretary’s Bureau issued a Notice which directed that formal protests, petitions to intervene, and answers to PPL Electric’s Petition be filed with on or before May 30, 2014.
3. CAUSE-PA is filing this Petition to Intervene and Answer consistent with the Commission’s notice.

### **Petition to Intervene**

4. Eligibility to intervene in Commission proceedings is governed by 52 Pa. Code § 5.72, which 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).

5. 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).

6. 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. Commw. 2010) (alteration in original) (citing *Tripps Park v. Pa. P.U. C.*, 415 A.2d 967 (Pa. Commw. 1980); *Parents United for Better Schools v. School District of Philadelphia*, 646 A.2d 689 (Pa. Commw. 1994)).

7. 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.

8. 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.

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

10. CAUSE-PA has interests in the impact that the proposed Default Service Plan has on moderate and low income residential customers. These interests are not adequately represented by other participants.

11. CAUSE-PA was granted intervener status and actively participated in earlier proceedings relating to PPL's Default Service Programs for the period commencing June 1, 2013 through May 31, 2015.

12. At least one member of CAUSE-PA is a customer of PPL Electric and will be directly affected by the outcome of this proceeding.<sup>1</sup>

13. 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.

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

Harry S. Geller, Esquire  
Patrick M. Cicero, Esquire  
Elizabeth R. Marx, Esquire  
**Pennsylvania Utility Law Project**  
118 Locust Street  
Harrisburg, PA 17101  
Telephone: 717-236-9486  
Facsimile: 717-233-4088  
E-mail: [pulp@palegalaid.net](mailto:pulp@palegalaid.net)

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<sup>1</sup> Ms. Lorrie Koons is a member of CAUSE-PA and a customer of PPL.

15. Counsel for CAUSE-PA consents to the service of documents by electronic mail to [pulp@palegalaid.net](mailto:pulp@palegalaid.net), as provided in 52 Pa. Code § 1.54(b)(3).

**Answer**

16. CAUSE-PA has reviewed PPL Electric's Petition and identified a number of issues presented by the filing which may positively or negatively affect its members. CAUSE-PA anticipates that additional issues may arise as a more comprehensive review of the filing is undertaken, discovery is conducted, and the testimony is more thoroughly reviewed.

17. It is critical for CAUSE-PA to intervene in the proceeding to resolve potential negative aspects of PPL Electric's plan and to ensure that the positive aspects of the plan are not changed.

18. In relevant part, CAUSE-PA has a discernible interest in PPL Electric's proposals to:

- a. Adjust default service reconciliation from its current quarterly reconciliation to a semi-annual reconciliation. Petition ¶ 48.
- b. Continue offering a Time of Use (TOU) program for residential and small commercial customers, excluding customers enrolled in the company's low-income customer assistance program (CAP). Petition ¶ 66.
- c. Obtain Default Service supply through the spot market in the event that unfilled tranches remain at commencement of delivery of a given product, the recovery of which will be from retail ratepayers. Petition ¶ 107.
- d. Continue offering a Standard Offer Referral Program to all residential customers, including those enrolled in CAP. Petition ¶ 111.
- e. Promote the Standard Offer Referral Program during all customer calls, with the exception of emergencies or terminations. Petition ¶ 115.
- f. Adjust Price to Compare (PTC) on a semi-annual basis, rather than the currently quarterly adjustment of the PTC).

19. CAUSE-PA asserts that each of these matters, as presented within the Petition, and any future modifications presented by intervening parties, must be thoroughly reviewed through discovery and a hearing to ensure that the PPL Electric's low-income customers are not harmed and the programs are in the public interest.

WHEREFORE, CAUSE-PA respectfully requests that the Commission enter an order granting CAUSE-PA full status as an intervener in this proceeding with active party status.

Respectfully submitted,

**PENNSYLVANIA UTILITY LAW PROJECT**  
*Counsel for CAUSE-PA*



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Harry S. Geller, Esq., PA ID: 22415  
Patrick M. Cicero, Esq., PA ID: 89039  
Elizabeth R. Marx, Esq., PA ID: 309014  
118 Locust Street  
Harrisburg, PA 17101  
Tel.: 717-236-9486  
Fax: 717-233-4088  
[pulp@palegalaid.net](mailto:pulp@palegalaid.net)

Dated: May 19, 2014

**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).

  
Dorothy Young

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

Date: May 19, 2014

**Certificate of Service**

I hereby certify that I, Elizabeth R. Marx, have this day served copies of the **Petition to Intervene and Answer of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania** upon the parties of record in the above captioned proceeding in accordance with the requirements of 52 Pa. Code § 1.54 in the manner and upon the persons listed below.

**VIA EMAIL and FIRST CLASS MAIL**

Honorable Susan D. Colwell  
Administrative Law Judge  
Office of Administrative Law Judge  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Michael W. Hassell, Esq.  
David B. MacGregor, Esq.  
Christopher R. Wright, Esq.  
Post & Schell, P.C.  
Four Penn Center  
1600 John F. Kennedy Boulevard  
Philadelphia, PA 19103

Tanya J. McCloskey, Esq.  
Aron J. Beatty, Esq.  
Amy E. Hirkakis, Esq.  
Hobart J. Webster, Esq.  
Office of Consumer Advocate  
555 Walnut Street, 5<sup>th</sup> Floor, Forum Place  
Harrisburg, PA 17101-1923

John Evans  
Steven Gray, Esq.  
Office of Small Business Advocate  
Suite 1102, Commerce Building  
300 North Second Street  
Harrisburg, PA 17101

Paul E. Russell, Esq.  
PPL Services Corporation  
Office of General Counsel  
2 North Ninth Street, GENTW3  
Allentown, PA 18106

Regina L. Matz, Esq.  
Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor West  
Harrisburg, PA 17120

Pamela C. Polacek, Esq.  
Adelou A. Bakare, Esq.  
McNees, Wallace & Nurick, LLC  
100 Pine Street  
PO Box 1166  
Harrisburg, PA 17108-1166  
*Counsel to PP&L Industrial Customer Alliance*

Kenneth L. Mickens, Esq.  
316 Yorkshire Drive  
Harrisburg, PA 17111  
*Counsel for the Sustainable Energy Fund of Central Eastern Pennsylvania*

Respectfully submitted,  
**PENNSYLVANIA UTILITY LAW PROJECT**  
*Counsel for CAUSE-PA*



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Elizabeth R. Marx, PA ID # 309104  
118 Locust Street  
Harrisburg, PA 17101  
717-236-9486  
[pulp@palegalaid.net](mailto:pulp@palegalaid.net)

May 19, 2014