

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

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July 29, 2015

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

RE: Unified Energy Alliance, LLC v. Rodger K.
Walter, et al.
Docket No. C-2015-2492473

Secretary Chiavetta:

Enclosed please find the Office of Consumer Advocate's Notice of Intervention and Public Statement in the above-referenced proceeding.

Copies have been served as indicated on the enclosed Certificate of Service.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Candis A. Tunilo".

Candis A. Tunilo
Assistant Consumer Advocate
PA Attorney I.D. #89891
E-Mail: CTunilo@paoca.org

Enclosures

cc: Office of Administrative Law Judge
Office of Special Assistants
H. Kirk House, Office of Competitive Market Oversight
Dan Mumford, Office of Competitive Market Oversight
Certificate of Service

*210665

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Unified Energy Alliance, LLC, :
 :
 v. : Docket No. C-2015-2492473
 :
 Rodger K. Walter, :
 Ernie Horning, :
 J. Nick Storch, :
 Duane Albright, :
 Andy Youndt, :
 Don Shipp, :
 Future Energy Solutions, LLC, and :
 Navigate Power, LLC :

NOTICE OF INTERVENTION OF THE
OFFICE OF CONSUMER ADVOCATE

Pursuant to 52 Pa. Code Sections 5.71-74, the Office of Consumer Advocate hereby gives Notice of Intervention in the above-captioned proceeding. A copy of all correspondence and notices, documents, orders or other communications with respect to the above-captioned proceeding should be addressed to the following:

Candis A. Tunilo
Assistant Consumer Advocate
PA Attorney I.D. # 89891
E-Mail: CTunilo@paoca.org

Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101-1923
Phone: (717) 783-5048
Fax: (717) 783-7152

Respectfully submitted,



Candis A. Tunilo
Assistant Consumer Advocate

DATED: July 29, 2015
210663

**PUBLIC STATEMENT OF THE OFFICE OF CONSUMER ADVOCATE
PURSUANT TO 71 P.S. SECTION 309-4(e)**

Act 161 of the Pennsylvania General Assembly, 71 P.S. § 309-2, as enacted July 9, 1976, authorizes the Consumer Advocate (OCA) to represent the interests of consumers before the Pennsylvania Public Utility Commission (Commission). In accordance with Act 161, and for the following reasons, the Office of Consumer Advocate determined to file an Intervention and participate in proceedings before the Commission involving Electric Generation Suppliers (EGSs) Unified Energy Alliance, LLC (UEA), Future Energy Solutions, LLC (FES) and Navigate Power, LLC (NP) and various individuals affiliated with these companies.

On July 2, 2015, UEA filed a Complaint with the Commission seeking an order that FES, NP and the named individuals (collectively, Respondents) violated the Public Utility Code and Commission regulations in their actions in obtaining clients as described in the Complaint, an order enjoining further violations of the Public Utility Code and Commission regulations, suspension or revocation of NP's EGS license, prohibition of FES to obtain an EGS license, assessment of civil penalties against FES and NP, and other actions the Commission deems as necessary and appropriate.

According to the Complaint, the individuals named as Respondents were former independent sales consultants for Complainant UEA who formed FES and NP after severing ties with UEA. Complainant UEA alleges that Respondents improperly used information gained during Respondents' relationship with UEA to solicit UEA's customers and did so: (1) in a misleading and deceptive manner; (2) without properly identifying their EGS affiliations; and (3) without providing accurate information about products and services being offered, all in violation of the Commission's regulations. Complainant UEA also asserts that Respondents engaged in slamming and that FES operates as a broker/marketer of electricity without an EGS

license. Additionally, UEA asserts that some affected customers suffered financial losses as a result of Respondents' actions, including being charged termination fees. Therefore, the Office of Consumer Advocate has filed this Intervention with the Commission to ensure that consumers' interests are represented in this action.

CERTIFICATE OF SERVICE

Unified Energy Alliance, LLC, :
 :
 v. : Docket No. C-2015-2492473
 :
 Rodger K. Walter, :
 Ernie Horning, :
 J. Nick Storch, :
 Duane Albright, :
 Andy Youndt, :
 Don Shipp, :
 Future Energy Solutions, LLC, and :
 Navigate Power, LLC :

I hereby certify that I have this day served a true copy of the foregoing document, the Office of Consumer Advocate's Notice of Intervention and Public Statement, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 29th day of July 2015.

SERVICE BY E-MAIL & INTER-OFFICE MAIL

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