

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Petition of PPL Electric Utilities Corporation for :
Approval to use the Remote Switch Service in : P-2016-2524581
its Meters for Involuntary Service Termination :**

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

PENNSYLVANIA UTILITY LAW PROJECT
Counsel for CAUSE-PA
Joline Price, Esq., PA ID: 315405
Elizabeth R. Marx, Esq., PA ID: 309014
Patrick M. Cicero, Esq., PA ID: 89039
118 Locust Street
Harrisburg, PA 17101
Tel.: 717-236-9486
Fax: 717-233-4088

February 11, 2016

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 in the Petition filed by PPL Electric Utilities Corporation (“PPL Electric” or “the Company”) for Approval to use the Remote Switch Service in its Meters for Involuntary Service Termination, and, in support, states as follows:

1. On September 3, 2015, the Public Utility Commission (“PUC” or “the Commission”) approved the Petition of PPL Electric Utilities for Approval of its Smart Meter Technology Procurement and Installation Plan, Docket No. M-2014-2430781 (“2015 Smart Meter Order”).

2. In the 2015 Smart Meter Order, the Commission required the Company to both seek stakeholder input and file for Commission approval prior to utilizing the remote disconnect of the smart meters for involuntary service disconnections.

3. On January 15, 2016, PPL Electric filed this Petition to approve the use of its remote disconnect service switches for involuntary service termination.

4. CAUSE-PA files this Petition to Intervene in the aforementioned proceeding.

Intervention

5. 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).

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. 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)).

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.

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

11. 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.

12. CAUSE-PA has interests in the impact of involuntary service termination by remote switch on moderate and low income residential customers, as this population is at the highest risk of involuntary termination. These interests are not adequately represented by other participants.

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

14. 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.

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

Joline Price, Esquire
Elizabeth R. Marx, Esquire
Patrick M. Cicero, Esquire
Pennsylvania Utility Law Project
118 Locust Street
Harrisburg, PA 17101
Telephone: 717-236-9486
Facsimile: 717-233-4088
E-mail: pulp@palegalaid.net

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

Issues to Be Addressed

17. It is critical for CAUSE-PA to intervene in the proceeding to resolve potential negative

¹ Ms. Amanda Mabry is a member of CAUSE-PA and a customer of PPL.

aspects of PPL Electric's plan and to ensure that the positive aspects of the plan are not changed, including but not limited to the following aspects of PPL's petition:

- a. Ensuring that any involuntary service termination by remote service switch complies with statutory and regulatory requirements, including of Chapters 14 and 56 and the Discontinuance of Service to Leased Premises Act. Petition ¶¶ 12-15.
- b. Ensuring that PPL's termination procedures include actual, in person notice to the customer of the termination prior to the remote disconnection. Petition ¶¶ 14.
- c. Ensuring clear information is given to all customers prior to termination about how a termination can be avoided, including PPL's Universal Service Programs. Petition ¶¶ 14.
- d. Ensuring simple and streamlined procedures for reconnections following an involuntary termination of service. Petition ¶¶ 17-18, 23-24.
- e. Ensuring any savings realized by remote termination are passed on to ratepayers. Petition ¶¶ 25.

18. 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

- (1) enter an order granting CAUSE-PA full status as an intervener in this proceeding with active party status; and

(2) grant such other relief as is just and appropriate.

Respectfully submitted,

PENNSYLVANIA UTILITY LAW PROJECT
Counsel for CAUSE-PA

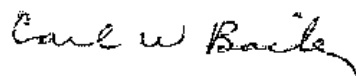


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pulp@palegalaid.net

Dated: February 11, 2016

Verification

I, **Carl Bailey**, 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).



Carl W. Bailey

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

Date: February 11, 2016