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October 19, 2017

**VIA ELECTRONIC FILING**

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

RE: Petition of UGI Utilities, Inc. – Gas Division To Establish a Schedule for the Installation of Daily Metering Facilities on All Rate IS (Interruptible Service) and Rate DS (Delivery Service) Accounts; to Thereafter Transfer All Rate IS and DS Customer Accounts from Intra-Month to Calendar Month Billing and Balancing Pools; and to Recover Associated Costs Pursuant to 66 Pa. C.S. § 2205(c)(7) 1307(f); Docket No. P-2017-2607269; **PETITION TO INTERVENE AND OPPOSITION TO PETITION FOR LEAVE TO WITHDRAWAL**

Dear Secretary Chiavetta:

Enclosed for electronic filing with the Commission is the Petition to Intervene Out of Time and Opposition to Petition for Leave to Withdrawal of the Retail Energy Supply Association in the above-captioned proceeding. Copies of this Petition have been served in accordance with the attached Certificate of Service.

Thank you for your attention to this matter. If you have any questions relating to this filing, please do not hesitate to contact my office.

Very truly yours,

Todd S. Stewart  
Counsel for  
The Retail Energy Supply Association

TSS/jld  
Enclosure

cc: Administrative Law Judge Elizabeth H. Barnes  
Per Certificate of Service

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

**VIA ELECTRONIC AND FIRST CLASS MAIL**

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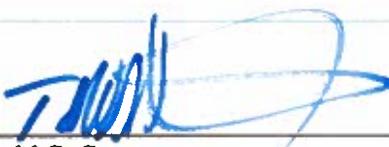
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DATED: October 19, 2017

  
\_\_\_\_\_  
Todd S. Stewart

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of UGI Utilities, Inc. – Gas Division	:	
To Establish a Schedule for the Installation of	:	
Daily Metering Facilities on All Rate IS	:	
(Interruptible Service) and Rate DS	:	Docket No. P-2017-2607269
(Delivery Service) Accounts; to Thereafter	:	
Transfer All Rate IS and DS Customer Accounts	:	
from Intra-Month to Calendar Month Billing and	:	
Balancing Pools; and to Recover Associated Costs	:	
Pursuant to 66 Pa. C.S. § 2205(c)(7)	:	

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**PETITION TO INTERVENE OUT OF TIME  
AND OPPOSITION TO PETITION  
FOR LEAVE TO WITHDRAWAL  
OF THE RETAIL ENERGY SUPPLY ASSOCIATION, *ET AL***

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NOW Comes the Retail Energy Supply Association (“RESA”) and Shipley Choice, LLC d/b/a Shipley Energy (“Shipley”)(collectively “RESA, *et al*,”) by and through their counsel, Hawke McKeon & Sniscak, LLP, and hereby petition, out of time, to intervene in the above-captioned matter and oppose the Petition for Leave to Withdraw its Petition filed by UGI on Monday, October 16, 2017. RESA, *et al*, understands and accepts that as a late intervenor, if it is permitted to participate, it must take the matter as it finds it, and RESA does not fault UGI for its lack of willingness to support its initial Petition without RESA’s presence in the matter. RESA, *et al*’s, failure to timely intervene was due to a misunderstanding of the import of the proceeding based upon the change of RESA counsel in the intervening time between UGI Utilities, Inc. – Gas Division’s (“UGI”) rate case, and the settlement that resolved that matter, and the instant filing and the inherent difficulties in re-establishing the involvement. Now that RESA is seeking

intervention, however, UGI's concerns regarding lack of support are no longer valid. In support of its Petition, RESA, *et al*, states and avers as follows.

1. On May 31, 2017, UGI filed the above-captioned petition. On June 2, 2017, UGI filed an Amended Petition to clarify the schedules to which the Retail Markets Rider would apply. On June 15, 2017, UGI filed its proposed pro forma tariff language along with a pro forma rate calculation for the Retail Markets Rider.

2. On September 28, 2017, a prehearing conference was held in the above-captioned matter.

3. The following parties appeared at the prehearing conference: UGI, the Office of Consumer Advocate ("OCA"), the Office of Small Business Advocate ("OSBA"), and the Commission's Bureau of Investigation and Enforcement ("I&E"). An Order was issued on September 29, 2017 by Presiding Administrative Law Judge Barnes. On October 16, 2017, UGI filed a request to withdraw the Petition without Prejudice.

4. RESA, *et al*, is represented in this matter by the following counsel:

Todd S. Stewart  
PA Attorney I.D. # 75556  
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5. RESA, *et al*, did not appear at the prehearing conference, nor did it timely seek to intervene as described above. RESA, *et al*, is aware that a procedural schedule was adopted and understands that if its petition is granted it will be required to accept the schedule as is and it is prepared to do so.

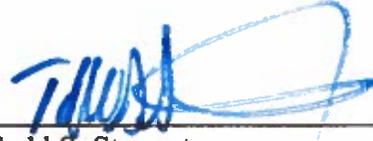
6. The Retail Energy Supply Association (RESA) was founded in 1990, and is a broad and diverse group of more than twenty retail energy suppliers dedicated to promoting efficient, sustainable and customer-oriented competitive retail energy markets. RESA members operate throughout the United States delivering value-added electricity and natural gas service at retail to residential, commercial and industrial energy customers. More information on RESA can be found at [www.resausa.org](http://www.resausa.org). RESA has participated in many proceedings before the Pennsylvania Public Utility Commission in matters that involve retail competition issues. RESA participated as a party in UGI's most recent rate case, and it was the settlement of that case, in a provision championed by RESA, that is the basis for UGI's petition in this matter. Shipley is a licensed natural gas supplier in the UGI Service territory and participated in UGI's most recent rate case as a member of the NGS Parties.

7. RESA avers that the rationale for UGI's request to withdraw was that there was no support for the Petition and that to litigate now would be a waste of time and resource. RESA avers that with its intervention neither of those reasons continue to be valid and it urges the presiding ALJ to grant its intervention and to allow the proceeding to continue.

8. RESA submits that it has standing as an organization to participate in this proceeding and that its intervention is in the public interest, and will not cause undue prejudice to any other party in this proceeding as it will take the matter as it finds it. Shipley has standing as a signatory to the settlement agreement upon which this matter is premised and as supplier serving affected customers.

**WHEREFORE, RESA, et al,** respectfully requests that its Petition to Intervene Out of Time be granted and that it be afforded full party status in this matter.

Respectfully submitted,



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*Counsel for  
The Retail Energy Supply Association and  
Shipley Energy*

DATE: October 19, 2017