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April 16, 2018

Via Electronic Filing

Rosemary Chiavetta, Secretary
PA Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265

Re: Pennsylvania Public Utility Commission, Office of Small Business Advocate, Office of Consumer Advocate, Patricia Southorn v. Columbia Gas of Pennsylvania, Inc.;
Docket Nos. R-2018-2647577, C-2018-3000073, C-2018-3000582, C-2018-3000779

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Petition to Intervene of Direct Energy Business, LLC, Direct Energy Services, LLC and Direct Energy Business Marketing, LLC in the above-referenced matter. Copies to be served in accordance with the attached Certificate of Service.

Sincerely,

Kristine E. Marsilio, Esq.

Enclosure

cc: Hon. Jeffrey A. Watson
Certificate of Service w/enc.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the Petition to Intervene of Direct Energy Business, LLC, Direct Energy Services, LLC and Direct Energy Business Marketing, LLC upon the participants listed below in accordance with the requirements of § 1.54 (relating to service by a participant).

VIA E-SERVICE AND/OR FIRST CLASS MAIL

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Date: April 16, 2018


Kristine E. Marsilio, Esq.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	Docket Nos.	R-2018-2647577
Office of Small Business Advocate	:		C-2018-3000073
Office of Consumer Advocate	:		C-2018-3000582
Patricia Southorn	:		C-2018-3000779
	:		
v.	:		
	:		
Columbia Gas of Pennsylvania, Inc.	:		

**PETITION TO INTERVENE OF DIRECT ENERGY BUSINESS,
LLC, DIRECT ENERGY SERVICES, LLC, AND DIRECT
ENERGY BUSINESS MARKETING, LLC**

Pursuant to 52 Pa. Code §§ 5.72-5.75, Direct Energy Business, LLC, Direct Energy Services, LLC, and Direct Energy Business Marketing, LLC (collectively, “Direct Energy” or the “Direct Energy Companies”) petitions to intervene in the above-captioned proceeding filed on behalf of Columbia Gas of Pennsylvania, Inc. (“Columbia Gas” or the “Company”) at the Pennsylvania Public Utility Commission (the “Commission”). In support of its Petition to Intervene, Direct Energy states as follows:

1. On March 16, 2018, Columbia Gas filed Supplement No. 267 to its Tariff Gas PA PUC No. 9 (“Supplement No. 267”) to become effective May 15, 2018, containing proposed changes in rates, rules, and regulations. In Supplement No. 267, Columbia seeks an overall revenue increase of \$46.9 million per year, or 8.16%.

2. By Order dated April 5, 2018, Supplement No. 267 was suspended by operation of law until December 15, 2018, unless otherwise directed by Order of the Commission.

3. The Direct Energy Companies are natural gas suppliers (“NGSs”) licensed by the Commission to provide natural gas and related services to retail customers in Columbia’s service territory.¹ Direct Energy is a North American affiliate of Centrica plc, a leading international provider of energy and other energy-related services with over 28 million customer relationships worldwide. Direct Energy is one of the largest competitive retail providers of electricity, natural gas, and home services in North America, with over 4 million customer relationships, multiple brands, and roughly 5,000 employees. Direct Energy has a unique business model, and extensive experience in providing innovative gas and electricity products and services to residential, small and large commercial and industrial customers, utilities, and government entities.

4. Direct Energy’s attorneys in this matter are:

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5. The Commission’s regulations allow intervention where a person has an interest in the proceeding which may be directly affected and which is not adequately represented by existing parties, and as to which the person may be bound by the action of the Commission in the proceeding. 52 Pa. Code § 5.72(a)(2). Intervention is also permitted where participation of the person may be in the public interest. 52 Pa. Code § 5.72(a)(3). A “person” includes a corporation and an association. 52 Pa. Code § 1.8.

¹ See PUC Docket Nos. A-125072 (Direct Energy Business, LLC), A-125135 (Direct Energy Services, LLC) and A-2013-2365792 (Direct Energy Business Marketing, LLC).

6. Direct Energy meets the standards for intervention set forth in 52 Pa. Code § 5.72(a). As NGSs in the Company's service territory and in the Commonwealth, the intervening Direct Energy Companies satisfy the standard for intervention because Direct Energy possesses an "interest 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)(1).

7. Direct Energy has a substantial and direct interest in the outcome of this proceeding. Specifically, as NGSs licensed to serve customers in the Columbia service territory, Direct Energy has a substantial and direct interest in modifications to any tariff provision which would impact Direct Energy's ability to serve customers in Columbia's service territory. Any changes to Columbia's rates, or the operation or structure of any Columbia programs, may have a significant effect on retail competition and, thus, on the ability of the Direct Energy Companies to operate as NGSs in Columbia's service territory.

8. Additionally, the Company has indicated that its proposed rate increase projections include costs related to the Company's installation of equipment to capture daily measurement data for certain customers authorized under Tariff Supplement No. 255.² Direct Energy has a direct and substantial interest in the operation of this program, in that Direct Energy needs timely availability of daily customer usage data to fully comply with certain Operational Matching Orders and avoid associated penalties.

² N.J.D. Statement No. 10 at 22. Supplement No. 255 was filed pursuant to the Settlement Agreement reached in Columbia's last base rate case at Docket No. R-2016-2539660, wherein Columbia agreed to install equipment to obtain and report usage information from certain customers. Direct Energy was a signatory party to that Settlement Agreement.

9. Direct Energy also has an interest in ensuring that the proposals of other parties that are advanced through testimony, legal arguments, or settlement discussions do not adversely impact Direct Energy's ability to effectively operate as NGSs in the Columbia service territory.

10. Direct Energy's interests in this proceeding are unique from and not adequately represented by other parties that have or may seek to intervene, including individual NGSs, or other organizations interested in natural gas competition in Pennsylvania in general and in Columbia's service territory in particular. Direct Energy has a unique business model and its interests and perspective are unique. In view of Direct Energy's unique business model, Direct Energy's interests in this proceeding cannot be adequately represented by other NGSs with different business models and different customer target markets.

11. Direct Energy will be bound by the action of the Commission in this proceeding, as well as the terms and conditions related to Columbia's tariff. Thus, the Commission's actions regarding the Company's proposals may have a substantial impact on Direct Energy's future involvement in the market.

12. Direct Energy's intervention is in the public interest. As a member of the Centrica group of companies providing energy and energy related services through over 28 million customer relationships worldwide, Direct Energy has the experience and resources to aid the Commission in establishing reasonable modifications to the tariff of Columbia. Accordingly, Direct Energy's participation in this proceeding is clearly in the public interest. See 52 Pa. Code § 5.72(a)(3).

13. Direct Energy generally supports the Company's proposal insofar as it relates to the continuation of the program wherein Columbia obtains and reports daily customer usage data. Direct Energy has not presently identified specific issues in the proposed tariff changes. Direct

Energy reserves the right to raise and address issues identified through its review and analysis of the Tariff Supplement (and related information), including any issues related to the operation of the program requiring the reporting of daily customer usage data, or other issues raised by other parties (such as any proposed modifications to the Company's tariff).

WHEREFORE, Direct Energy respectfully requests that the Commission grant Direct Energy's Petition to Intervene and that Direct Energy be granted full party status in this matter.

Respectfully submitted,



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Date: April 16, 2018

Attorneys for
Direct Energy Services, LLC

Verification

I, Diana Swisher Burckhart, am a Senior Specialist, Government and Regulatory Affairs for Direct Energy Services, LLC ("Direct Energy"), and I hereby state that the facts set forth in the foregoing **Petition to Intervene** are true and correct to the best of my knowledge, information and belief and that I expect Direct Energy 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 18 Pa. C.S. § 4904 (relating to sworn falsification to authorities).



Diana Swisher Burckhart
Diana Swisher Burckhart
Senior Specialist, Government and Regulatory Affairs
Direct Energy Services, LLC