



February 14, 2019

*Via Electronic Filing*

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

**Re: Pa. PUC v. UGI Gas of Pennsylvania Inc., Docket No. R-2018-3006814**

Enclosed for electronic filing, please find the Petition to Intervene and Answer of the Coalition for Affordable Utility Service and Energy Efficiency in Pennsylvania (CAUSE-PA) in the above referenced matter.

Copies of this filing will be circulated in accordance with the attached Certificate of Service.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kadeem G. Morris", is written over a light gray rectangular background.

Kadeem G. Morris  
Counsel for CAUSE-PA

CC: Petition to Intervene  
Certificate of Service

**BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, et al. :  
 :  
 v. : Docket No. R-2018-3006814  
 :  
 UGI Gas of Pennsylvania, Inc. :

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

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**February 14, 2019**

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 petitions the Pennsylvania Public Utility Commission (“Commission”) to intervene and files its Answer in the above-captioned proceeding. In support thereof, CAUSE-PA states as follows:

1. January 29, 2019, UGI Gas of Pennsylvania (“UGI”) submitted a rate filing, Supplement No. 267 to its Tariff Gas PA PUC No. 7 and 7S, which proposes to increase rates by approximately \$71.1 million per year, or 8.9%. (UGI St. 1 at 5). UGI proposed to create uniformity across its three rate districts, which were previously three different companies and tariffs. The impact of the proposed rate increase varies across UGI’s three rate districts. For UGI South, a residential customer with an average usage of 62.3 Ccf of gas per month would increase from \$62.45 to \$72.93 per month, or 16.8 percent. (UGI St. 1 at 18). For UGI North, a residential customer with an average usage of 90.6 Ccf of gas per month would increase from \$89.72 to \$97.37 per month, or 8.5 percent. (Id.) For UGI Central, a residential customer with an average usage of 77.3 Ccf of gas per month would decrease from \$93.68 to \$85.91 per month, or 8.3 percent. (Id.) In its proposed uniform rate structure, UGI seeks to increase its fixed monthly residential customer charge to \$19. (UGI St. 8 at 26). The current monthly residential customer charge for UGI’s rate districts are \$13.25 for UGI Gas North, \$14.60 for UGI Gas Central, and \$11.75 for UGI South. (Id.) The proposed increase in the monthly residential fixed customer charge is \$5.75 (30.26%) for UGI Gas North, \$4.40 (23.15%) for UGI Gas Central, and \$7.25 (38.15%) for UGI South.

### **Petition to Intervene**

2. 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).

3. 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).

4. 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. PUC, 995 A.2d 465, 476 (Pa. Commw. 2010) (alteration in original) (*citing* Tripps Park v. Pa. PUC, 415 A.2d 967 (Pa. Commw. 1980); Parents United for Better Schools v. School District of Philadelphia, 646 A.2d 689 (Pa. Commw. 1994)).

5. 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.

6. 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.

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

8. CAUSE-PA has a significant interest in the impact that UGI's proposed rate increase will have on moderate and low income residential customers. These interests are not adequately represented by other participants.

9. Several members of CAUSE-PA are located within UGI's service territory and will be directly affected by the outcome of this proceeding. Particularly, this proceeding will affect the price that CAUSE-PA members pay for natural gas service as well as the reliability and quality of that service.<sup>1</sup>

10. CAUSE-PA has standing to intervene because several of its members have or will suffer a direct, immediate, and substantial injury to an interest as a result of this proceeding. See Energy Cons. Council of Pa., 995 A.2d at 476.

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

Kadeem G. Morris, Esquire  
Elizabeth R. Marx, Esquire  
Patrick M. Cicero, Esquire  
John W. Sweet, Esquire  
**Pennsylvania Utility Law Project**  
118 Locust Street  
Harrisburg, PA 17101  
Telephone: 717-236-9486  
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<sup>1</sup> Ms. Clara Smith and Altigracia Reyes are members of CAUSE-PA and customers of UGI Gas, Inc.

12. 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**

13. CAUSE-PA has preliminarily reviewed UGI's rate filing, and objects to UGI's request on the grounds that the proposed rate increase could result in unjust and unreasonable rates that would impose severe hardship on low and moderate income residential customers.

14. Continued delivery of safe, affordable natural gas service is of critical importance to the safety, welfare, and economic stability of all Pennsylvanians – particularly those with limited financial means. In recognition of this fact, the law requires that utility services – here natural gas service - be universally available at an affordable rate, and that all universal service programs be developed, maintained, and appropriately funded to ensure such affordability. See 66 Pa. C.S. § 2203(3), (8). UGI's proposals to increase rates and to consolidate its three rate divisions may negatively impact the affordability of UGI's rates and the availability of universal service programs across UGI's service territory. UGI's proposal to significantly increase its fixed residential customer charge could also have a disparate impact on smaller households, with limited economic means.

15. CAUSE-PA asserts that these matters, and any future modifications presented by intervening parties, must be thoroughly reviewed and investigated to ensure that all customers are able to access safe, affordable natural gas service within the UGI service territory.

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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Date: February 14, 2019

**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 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

  
Mr. Carl Bailey

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

Date: February 14, 2019



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



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