



January 7, 2021

VIA eFILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

Re: Petition of PECO Energy Company for Approval of Its Act 129 Phase IV Energy Efficiency and Conservation Plan, Docket No. M-2020-3020830

Petition to Intervene of TURN

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Petition to Intervene of Tenant Union Representative Network (TURN) in the above-captioned proceeding.

Due to the ongoing COVID-19 pandemic, this Petition to Intervene is being served via email as indicated on the attached Certificate of Service

If you have any questions, please do not hesitate to contact me.

Sincerely,

Kintéshia S. Scott, Esquire
Counsel for TURN

Enc.

Cc: Service list

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of PECO Energy Company :
for Approval of Its Act 129 Phase IV : Docket No. M-2020-3020830
Energy Efficiency and Conservation Plan :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the Petition to Intervene of Tenant Union Representative Network and upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code §1.54.

VIA EMAIL

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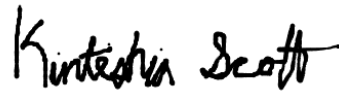
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Counsel for TURN

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of PECO Energy Company :
for Approval of Its Act 129 Phase IV : Docket No. M-2020-3020830
Energy Efficiency and Conservation Plan :

**PETITION TO INTERVENE
OF TENANT UNION REPRESENTATIVE NETWORK**

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January 7, 2021

Counsel for TURN

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of PECO Energy Company	:	
for Approval of Its Act 129 Phase IV	:	Docket No. M-2020-3020830
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PETITION TO INTERVENE OF TENANT UNION REPRESENTATIVE NETWORK

The Tenant Union Representative Network (TURN), through counsel Community Legal Services, Inc., hereby files this Petition to Intervene in the above-captioned proceeding, pursuant to the provisions of the Rules of Practice and Procedure of the Pennsylvania Public Utility Commission (PUC or Commission), 52 Pa. Code §§ 5.71-5.76, and in support thereof, states as follows:

1. In accordance with Act 129 of 2008 (Act 129), the Commission is charged with developing an energy efficiency and conservation program (EE&C Plan or EE&C Program).
2. Act 129 requires Electric Distribution Companies (EDCs) with 100,000 or more customers to adopt an EE&C Plan, subject to approval by the Commission, to reduce electric consumption
3. The Commission is tasked with determining whether an EDC has complied with the requirements of the EE&C Program and satisfied the established energy efficiency (EE) and peak demand reduction (PDR) targets.
4. Pursuant to Section 2806.1(C)(3) of Act 129, the Commission is also charged with the responsibility to evaluate the costs and benefits of the EE&C Program by November 30, 2013, and every five years thereafter.
5. To date, the Commission has implemented three phases of the Act 129 EE&C Program.

6. On June 18, 2020, after review and consideration of comments and reply comments of Companies and other interested parties, the Commission issued its EE&C Program Phase IV Implementation Order (Implementation Order), which directed the Phase IV EE&C Program operate from June 1, 2021 through May 31, 2026, and prescribed further energy consumption and PDR targets.
7. On November 30, 2020, PECO Energy Company (PECO or the Company) filed its Petition for Approval of Its Act 129 Phase IV Energy Efficiency and Conservation Plan at the above-captioned docket.
8. In its Implementation Order, the Commission established a savings carve-out for low-income customers with the aim of helping to ensure that low-income customers are able to access, participate in, and realize benefits from efficiency programs.
9. In the Implementation Order, the Commission directed that PECO obtain 80,089 MWh of savings from programs solely directed at low-income customers or low-income-verified participants in multifamily housing programs.
10. PECO's proposed Phase IV plan includes EE programs for "income-eligible" customers, defining income-eligible as being at or below 150% of the Federal Poverty Income Guidelines.
11. The Commission's Regulations provide 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).
12. The Commission's Regulations permit intervention by persons claiming "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)(2).

13. In Pennsylvania, an association may have standing as a representative of its members, provided the 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. PPL Electric Utilities Corporation’s Universal Service and Energy Conservation Plan for 2011-2013, Docket No. M-2010-2179796 (internal citations omitted). The Commission has previously determined that a not-for-profit organization may have standing in a representational capacity, including both associations and not-for-profit corporations. PPL Electric Utilities Corporation’s Universal Service and Energy Conservation Plan for 2011-2013, Docket No. M-2010-2179796, Opinion and Order dated May 5, 2011 at 11.
14. Tenant Union Representative Network (“TURN”) is a not-for-profit advocacy organization composed of moderate and low-income tenants, all either customers of or dependent on electricity service from PECO Energy Company.
15. In those capacities, TURN and its members have a direct, immediate, substantial and distinct interest in PECO’s proposed petition to implement Phase IV of its EE&C Plan, as the Company seeks to implement measures to achieve established EE and PDR targets for residential and low-income consumers, in accordance with the requirements of Act 129 and the Implementation Order.
16. TURN is located at 100 South Broad Street, Suite 800, Philadelphia, PA 19110.
17. TURN and its members have a continuing interest in the impact that the Company’s proposed EE&C Program will have on moderate or low-income residential customers who are tenants. These interests are not adequately represented by other participants.

18. TURN has preliminarily reviewed PECO's filing and has tentatively identified the following issues:

- a. Whether PECO's proposed EE&C Program Phase IV Implementation Plan will serve to adequately address the needs of low-income residential customers as it relates to the Company's deployment of energy efficiency and peak reduction demand measures to meet established targets for low-income customers in accordance with requirements under Act 129.
- b. Whether these EE&C Program measures are adequately funded and available to low-income Philadelphia tenants, including tenants who may reside in multi-family dwellings where PECO has proposed to offer energy efficiency and peak demand reduction measures.

19. TURN reserves the right to examine any other issues that arise in the course of this proceeding.


20. TURN is represented by:

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21. Counsel for TURN consent to the service of documents by electronic mail to the email addresses of counsel listed above, as provided in 52 Pa. Code §1.54(b)(3).

WHEREFORE, TURN respectfully requests that the Commission enter an order granting TURN full status as an intervener in this proceeding with active party status.



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January 7, 2021

Counsel for TURN

VERIFICATION

I, **Phil Lord**, on behalf of the Tenant Union Representative Network (“TURN”) 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).



Date: January 7, 2021

Phil Lord
Executive Director
Tenant Union Representative Network