NORRIS McLAUGHLIN | P.A.
ATTORNEYS AT LAW

515 West Hamilton Street
Suite 502
Allentown, PA 18101

T: 610-391-1800
F: 610-391-1805

jlushis@norris-law.com

May 10, 2021

E-FILE

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

RE: Pennsylvania Public Utility Commission v. PECO Energy Company
Docket No. R-2021-3024601

Dear Secretary Chiavetta:

Enclosed for filing with the Pennsylvania Public Utility Commission is the Petition to Intervene of Calpine Retail Holdings, LLC in the above-referenced proceeding.

As evidenced by the attached Certificate of Service, all parties to the proceeding are being served with a copy of this document. Thank you.

Sincerely,

NORRIS McLAUGHLIN, P.A.

/s/ *John F. Lushis, Jr.*

John F. Lushis, Jr.

c: Administrative Law Judge Marta Guhl (via e-mail)
Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a true copy of the foregoing document upon the participants listed below in accordance with the requirements of Section 1.54 (relating to service by a participant).

VIA E-MAIL

Honorable Marta Guhl
Administrative Law Judge
Pennsylvania Public Utility Commission
801 Market Street, Suite 4063
Philadelphia, PA 19107
mguhl@pa.gov
sdelvillar@pa.gov

Richard G. Webster Jr., Esq.
Jack Garfinkle, Esq.
Jennedy Johnson, Esq.
Anthony Gay, Esq.
PECO Energy Company
2301 Market Street, S15
Philadelphia PA 19103
dick.webster@exeloncorp.com
jack.garfinkle@exeloncorp.com
anthony.gay@exeloncorp.com
Jennedy.johnson@exeloncorp.com

Kenneth M. Kulak, Esq.
Catherine G. Vasudevan, Esq.
Brooke E. McGlinn, Esq.
Mark Lazaroff, Esq.
Morgan, Lewis and Bockius LLP
1701 Market Street
Philadelphia, PA 19103
ken.kulak@morganlewis.com
catherine.vasudevan@morganlewis.com
brooke.mcglinn@morganlewis.com
mark.lazaroff@morganlewis.com

Erin Fure
Office of Small Business Advocate
300 North Second Street, Suite 202
Harrisburg, Pennsylvania 1710
efure@pa.gov

Carrie B. Wright, Esq.
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
400 North Street
Harrisburg, PA 17120
carwright@pa.gov

Phillip D. Demanchick, Esq.
Christy M. Appleby, Esq.
Louis M. Melendez, Esq.
Laura J. Antinucci, Esq.
Barrett C. Sheridan, Esq.
Aron J. Beatty, Esq.
Office of Consumer Advocate
555 Walnut Street, 5th Floor
Harrisburg, PA 17101
pdemanchick@paoca.org
cappleby@paoca.org
lmelendez@paoca.org
lantinucci@paoca.org
bsheridan@paoca.org
abeatty@paoca.org

John Sweet, Esq.
Elizabeth R. Marx, Esq.
Ria Pereira, Esq.
Pennsylvania Utility Law Project
118 Locust Street
Harrisburg, PA 17101
jsweetpulp@palegalaid.net
emarxpulp@palegalaid.net
rpereirapulp@palegalaid.net

Charis Mincavage, Esq.
Adeolu A Bakare, Esq.
Jo-Anne S. Thompson
McNees Wallace & Nurick LLC
100 Pine Street
P.O. Box 1166
Harrisburg, Pennsylvania 17108
cmincavage@mcneeslaw.com
abakare@mcneeslaw.com
jthompson@mcneeslaw.com

Kinteshia A. Scott, Esq.
Joline Price, Esq.
Robert W. Ballenger, Esq.
Josie B.H. Pickens, Esq.
Community Legal Services
1424 Chestnut Street
Philadelphia, PA 19102
kscott@clsphila.org
jprice@clsphila.org
rballenger@clsphila.org
jpickens@clsphila.org

/s/ *John F. Lushis, Jr.*
John F. Lushis, Jr.
Counsel to Calpine Retail Holdings, LLC

Dated this 10th day of May, 2021, in Allentown, Pennsylvania.

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission	:	
v.	:	Docket No. R-2021-3024601
PECO Energy Company	:	

PETITION TO INTERVENE
OF CALPINE RETAIL HOLDINGS, LLC

Pursuant to Sections 5.71 through 5.76 of the Pennsylvania Public Utility Commission's ("PUC" or "Commission") Regulations, 52 Pa. Code §§ 5.71 - 5.76, Calpine Retail Holdings, LLC (together with its operating subsidiaries, "Calpine") hereby files this Petition to Intervene in the above-captioned proceeding. [1]

PECO Energy Company ("PECO" or the Company") has filed a request to increase the electric distribution base rates charged to PECO's residential, commercial and industrial customers. While Calpine does not expect to take any position in this case regarding PECO's overall revenue requirement, Calpine is interested in rate design issues, including potentially responding to positions potentially to be taken by other intervenors in the proceeding.

In support of its Petition to Intervene, Calpine asserts the following:

1. Calpine is an independent, national provider of retail electric service across 20 states. It operates as a licensed Electric Generation Supplier (EGS) in Pennsylvania. Calpine is

[1] As used herein, "Calpine" refers collectively to Calpine Retail Holdings and its retail subsidiaries. Calpine Retail has overall responsibility for the business activities of its retail subsidiaries, which serve residential, commercial, institutional and industrial customers in Pennsylvania's retail electric and gas markets.

also a Load Serving Entity (LSE) and member of PJM Interconnection LLC. Calpine is actively serving and soliciting customers throughout Pennsylvania. Calpine currently offers a wide variety of efficiency and energy-related products and services beyond simple energy procurement, including load and risk management and green energy solutions – all designed to meet the individualized needs and demands of Calpine's customers and capture the benefits of the existing competitive wholesale energy environment to bring those benefits forward into to Pennsylvania's competitive retail electric market.

2. The name and address of Calpine's attorney is:

John F. Lushis, Jr. (I.D. No. 32400)
NORRIS McLAUGHLIN, P.A.
515 W. Hamilton Street,| Suite 502
Allentown, PA 1810
Phone: (484) 765-2211
Fax: (484) 765-2270
jlushis@norris-law.com

3. Calpine is concerned with issues that affect competitive markets in Pennsylvania, including rate design aspects that could potentially harm or become a disincentive to create customized and innovative competitive retail electric products and services for its current and prospective customers.

4. Calpine intends to participate in this proceeding to the extent necessary to protect its interests and those of its customers. These interests cannot be adequately represented or protected by any other party.

5. As one of the nation's largest retail electric providers, Calpine's intervention is also in the public interest. Calpine possesses significant and unique knowledge, experience and resources with respect to the marketing of retail energy services, which will be helpful in developing a record on any rate design proposals that could affect competition. Moreover, without

the opportunity to intervene, Calpine will be unable to participate in this proceeding but will nevertheless be bound by the actions taken by the Commission. Such actions may have a material impact on Calpine's operations, business and systems as well as its continued involvement in PECO's service territory as a retail EGS.

6. Calpine continues to review PECO's filing, including the accompanying direct testimony and exhibits, and has not yet definitively established its position on the matters presented therein. Calpine reserves the right to take positions and/or seek relief based on its review of the various filings, discovery responses, or the positions taken by other parties in this proceeding,

7. The Commission's regulations permit intervention by a party that demonstrates 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. Calpine has a substantial and direct interest in this proceeding and satisfies the standards for intervention under these regulations.

WHEREFORE, Calpine Retail Holdings, LLC respectfully requests that the Pennsylvania Public Utility Commission grant this Petition to Intervene, providing Calpine with full-party status in this proceeding, as well as any other relief as the Commission deems necessary.

Respectfully submitted,
NORRIS McLAUGHLIN, P.A.

By /s/ *John F. Lushis, Jr.*

John F. Lushis, Jr. (I.D. No. 32400)
NORRIS McLAUGHLIN, P.A.
515 W. Hamilton Street,| Suite 502
Allentown, PA 1810
Phone: (484) 765-2211
Fax: (484) 765-2270
jlushis@norris-law.com

Counsel to Calpine Retail Holdings, LLC

Dated: May 10, 2021

VERIFICATION

I, Becky Merola, Director of Government & Regulatory Affairs, hereby state that the facts set forth in the foregoing Petition to Intervene by Calpine Retail Holdings, LLC (Docket # R-2021-3024601) are true and correct to the best of my knowledge, information and belief . I understand that false statements made herein are made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsifications to authorities.

Becky Merola

DATED: May 7, 2021