



November 4, 2021

Via Electronic Filing

Rosemary Chiavetta, Secretary
PA Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Addendum to Philadelphia Gas Works Universal Service and Energy Conservation Plan for 2017-2020 – Docket No. M-2016-2542415, and

Petition to Amend Philadelphia Gas Works Universal Service and Energy Conservation Plan for 2017-2022 – Docket No. P-2020-3018867

Dear Secretary Chiavetta,

Enclosed for electronic filing please find the Petition to Intervene of Tenant Union Representative Network in the above captioned matters. Copies are being served as set forth in the attached Certificate of Service.

Sincerely,



Robert W. Ballenger
Energy Unit Attorney

Cc: Service list



CERTIFICATE OF SERVICE

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

Via Email Only

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November 4, 2021

A handwritten signature in black ink, appearing to read 'R. W. Ballenger', is written over a horizontal line.

Robert W. Ballenger, Esq.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Addendum to Philadelphia Gas Works Universal Service and Energy Conservation Plan for 2017-2020	: : : : :	Docket No. M-2016-2542415
Petition to Amend Philadelphia Gas Works Universal Service and Energy Conservation Plan for 2017-2020	: : : :	Docket No. P-2020-3018867

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, state as follows:

1. Petitioner TURN is a Philadelphia based consumer membership and advocacy organization, which advocates on behalf of low and moderate income residential tenants, many of whom are customers of or reliant upon the services of the Philadelphia Gas Works. TURN is located at 100 South Broad Street, Suite 800, Philadelphia, PA 19110.

2. Petitioner is represented by:

Robert W. Ballenger, Esq. (Pa. ID: 93434)
Kintéshia S. Scott, Esq. (Pa. ID: 328600)
Joline R. Price, Esq. (Pa. ID: 315405)
COMMUNITY LEGAL SERVICES, INC.
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3. The Respondent utility is:

Philadelphia Gas Works
800 West Montgomery Avenue
Philadelphia, PA 19122

4. On February 24, 2020, PGW filed a Petition for Expedited Approval to Amend its Universal Service and Energy Conservation Plan (USECP) to establish a Pilot Program implementing the Commission's reduced maximum energy burdens (4% of income for customers at or below 50% Federal Poverty Income Guidelines (FPIG); 6% of income for customers between 51-150% FPIG) in its Customer Responsibility Program (CRP).

5. On March 2, 2020, TURN, together with Action Alliance of Senior Citizens of Greater Philadelphia and Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (collectively, TURN *et al.*), submitted a Letter in Lieu of Answer to PGW's Petition for Expedited Approval, supporting PGW's CRP Pilot Program and requesting Commission approval of PGW's amendment to its USECP.

6. On March 26, 2020, the Commission granted PGW's Petition, requiring it to implement the CRP Pilot Program utilizing the Commission's reduced maximum energy burdens for CRP customers on or before September 30, 2020.¹

7. On April 10, 2020, the Office of Consumer Advocate (OCA) and Office of Small Business Advocate (OSBA) separately filed Petitions for Reconsideration of the Commission's March 26, 2020 Order.

8. On April 20, 2020, TURN *et al.* filed answers to OCA and OSBA's Petitions for Reconsideration.

¹ See March 26 Order, Docket Nos. M-2016-2542415, P-2020-3018867 at ordering ¶4(a).

9. At its April 30, 2020 public meeting, the Commission declined to grant OCA's and OSBA's Petitions for Reconsideration.

10. OCA and OSBA appealed to the Commonwealth Court by filing Petitions for Review on May 4, 2020. These appeals were subsequently consolidated on September 15, 2020.

11. TURN filed its Notice of Intervention in the Commonwealth Court appeal on June 1, 2020.

12. PGW, by Status Update filed with the Commission on September 25, 2020, reported that implementation of the CRP Pilot Program was completed on September 12, 2020.

13. OCA filed its brief in Commonwealth Court on January 21, 2021, and OSBA filed its brief on February 26, 2021.

14. TURN *et al.* filed their responsive intervenors' brief in Commonwealth Court on April 12, 2021.

15. OCA and OSBA filed reply briefs in Commonwealth Court on April 26, 2021.

16. Oral argument was held before the Commonwealth Court, en banc, on May 12, 2021.

17. On September 29, 2021, the Commonwealth Court issued its unreported memorandum opinion vacating the Commission's March 26 Order and remanding to the Commission for further proceedings.

18. On October 25, 2021, Philadelphia Gas Works (PGW) filed its Petition for Commission Action, seeking an expedited proceeding to address the use of the revised energy burdens in PGW's Pilot Program on remand from the Commonwealth Court of Pennsylvania.

19. Petitioner TURN is a not-for-profit tenant service and advocacy organization composed of moderate and low income tenants, a substantial number of whom are customers of

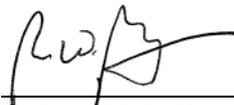
PGW or dependent on PGW natural gas service and all residing in Philadelphia. In those capacities, they have a direct, immediate, substantial and distinct interest in the PGW's Customer Responsibility Program.

20. TURN supported PGW's implementation of the reduced energy burdens via the Pilot Program in the proceedings before the Commission, as well as on appeal to the Commonwealth Court, because use of the lower energy burdens aligns with Commission policy and directly impacts low-income PGW customers' ability to afford PGW service.

21. Affordability of PGW service is critical to the low-income PGW residential customers who are members of TURN and who stand to benefit from the continued utilization of the Commission's revised energy burdens. Petitioner TURN therefore has interests in this proceeding, which may be directly affected and which are not adequately represented by other participants, and as to which Petitioner may be bound by the action of the Commission in this proceeding.

WHEREFORE, TURN respectfully requests that the Commission grant this Petition to Intervene providing TURN with full-party status in this proceeding.

Respectfully submitted,



Robert W. Ballenger, Esq. (Pa. ID: 93434)
Kintéshia S. Scott, Esq. (Pa. ID: 328600)
Joline R. Price, Esq. (Pa. ID: 315405)
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November 4, 2021

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VERIFICATION

I, Nicole Lawrence, on behalf of 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: November 4, 2021


Title: Executive Director, TURN