



December 15, 2021

Via Electronic Filing

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

Re: Philadelphia Gas Works Universal Service and Energy Conservation Plan for 2023-2027 Docket No. M-2021-3029323

Petition to Intervene of CAUSE-PA

Dear Secretary Chiavetta:

Please find the attached **Petition to Intervene of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA)** in the above-referenced proceedings.

As indicated on the attached Certificate of Service, service on the parties was accomplished by email only.

Respectfully Submitted,

Lauren N. Berman, Esq.
Counsel for CAUSE-PA

CC: Certificate of Service
Lori Mohr, BCS, laumohr@pa.gov
Joseph McGee, BCS, jimagee@pa.gov
Louise Fink Smith, Law Bureau, finksmith@pa.gov

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Philadelphia Gas Works Universal Services and :
Energy Conservation Plan 2023-2027 : Docket No. M-2021-3029323
:

**Petition to Intervene
of the Coalition for Affordable Utility Services
and Energy Efficiency in Pennsylvania**

PENNSYLVANIA UTILITY LAW PROJECT
Counsel for CAUSE-PA

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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 in the above-captioned proceeding. In support thereof, CAUSE-PA states as follows:

1. On October 29, 2021, Philadelphia Gas Works submitted its Universal Service and Energy Conservation Plan for the period 2023 - 2027 (USECP).
2. The matter was assigned to the Bureau of Consumer Services on November 1, 2021.
3. 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).
4. 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).
5. Although 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.*

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

6. 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.

7. 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.

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

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

10. CAUSE-PA asserts that PGW's USECP, 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 gas service in the PGW service territory. Specifically, though not exclusively, CAUSE-PA has an express interest in ensuring that the following aspects of the PGW's five-year plan are adequately explained and appropriately targeted in accordance with applicable statutes, regulations, policies, and prior settlements:

- a. Proposed changes to PGW's Customer Responsibility Program (CRP) including:
 - i. Language Access

- ii. Certification and re-certification requirements
- iii. Restoration of service and re-enrollment after termination

b. PGW’s proposed “Repair and Renew” LIURP Pilot Program.

CAUSE-PA intends to investigate these and other issues which may arise through the course of the proceeding.

11. Whether PGW’s proposed Universal Services Plan properly addresses the needs of its low-income consumers may raise issues of material fact that require a litigated hearing and creation of a record in before an Administrative Law Judge. *See Chester Water Auth. v. P.U.C.*, 822 A.2d 146, 152 (Pa. Commw. 2003).

12. Several members of CAUSE-PA are PGW customers and will be directly affected by the outcome of this proceeding.

13. 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.

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

Elizabeth R. Marx, Esq.
Lauren N. Berman, Esq.
Ria M. Pereira, Esq.
John Sweet, Esq.
Pennsylvania Utility Law Project
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15. Counsel for CAUSE-PA consents to the service of documents by electronic mail to pulp@pautilitylawproject.org, as provided in 52 Pa. Code § 1.54(b)(3).

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

Lauren N. Berman, Esq., PA ID: 310116

Elizabeth R. Marx, Esq., PA ID: 309014

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Verification

I, **Marsha White-Mathis**, 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 10 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).



Marsha White-Mathis

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

Date: December 15, 2021

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



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