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April 11, 2022

VIA ELECTRONIC FILING

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

RE: Pennsylvania Public Utility Commission v. Columbia Gas of Pennsylvania, Inc.;
Docket No. R-2022-3031211; **PETITION TO INTERVENE OF THE RETAIL
ENERGY SUPPLY ASSOCIATION, SHIPLEY CHOICE, LLC, AND NRG
ENERGY, INC.**

Dear Secretary Chiavetta:

Enclosed for filing with the Commission is the Petition to Intervene of The Retail Energy Supply Association, Shipley Choice, LLC, and NRG Energy, Inc. (“RESA/NGS Parties”) in the above-captioned docket. Copies of this Petition have been served in accordance with the attached Certificate of Service.

Thank you for your attention to this matter. If you have any questions related to this filing, please do not hesitate to contact my office.

Very truly yours,

Todd S. Stewart
*Counsel for The Retail Energy Supply
Association, Shipley Choice, LLC d/b/a
Shipley Energy, and NRG Energy, Inc.
 (“RESA/NGS Parties”)*

TSS/jld
Enclosure
cc: Per Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

VIA ELECTRONIC AND FIRST CLASS MAIL

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Todd S. Stewart

DATED: April 11, 2022

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
	:	
v.	:	Docket No. R-2022-3031211
	:	
Columbia Gas of Pennsylvania, Inc.	:	

**PETITION TO INTERVENE
OF THE RETAIL ENERGY SUPPLY ASSOCIATION,
SHIPLEY CHOICE, LLC, AND NRG ENERGY, INC.**

NOW COME, The Retail Energy Supply Association (“RESA”), Shipley Choice, LLC d/b/a Shipley Energy (“Shipley”), and NRG Energy, Inc. (“NRG”) (collectively “RESA/NGS Parties”), and hereby petition the Pennsylvania Public Utility Commission (“Commission”) and the Honorable Presiding Administrative Law Judge to intervene in the above-captioned proceeding pursuant to 52 Pa. Code §5.71. *et. seq.* As discussed more fully below, Shipley and several NRG subsidiaries are licensed natural gas suppliers (“NGS”) providing natural gas supply service using the jurisdictional facilities of Columbia Gas of Pennsylvania, Inc. (the “Company” or “Columbia”) and RESA is a trade association of competitive energy suppliers that, among other endeavors, represents the interests of energy suppliers in proceedings before the Commission.¹ In support of their Petition to Intervene, RESA/NGS Parties state and aver as follows:

¹ The positions expressed in this filing represent the position of the Retail Energy Supply Association (RESA) as an organization but may not represent the views of any particular member of the Association. Founded in 1990, RESA is a broad and diverse group of retail energy suppliers dedicated to promoting efficient, sustainable and customer-oriented competitive retail energy markets. RESA members operate throughout the United States delivering value-added electricity and natural gas service at retail to residential, commercial and industrial energy customers. More information on RESA can be found at www.resausa.org.

1. On or about March 18, 2022, Columbia filed with the Commission a request to increase base rates by \$ 82.2 million. At its April 14, 2022, Public Meeting, the Commission is expected to act on Columbia's request and is almost certain to suspend Columbia's requested changes for the maximum statutory time limit.

2. RESA/NGS Parties, are represented in the above-captioned matter by the following counsel:

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3. The NGS Parties currently serve customers across the full spectrum of customer classes on the Columbia system, including residential, commercial, and industrial customers. As such, they have a direct and immediate interest in any modifications to any tariff which could impact their ability to serve those customers and they have a clear interest in any tariff provisions, whether new or existing, that directly have impacted their ability to reasonably and fairly serve customers on the Columbia system. As a trade association that represents the interests of competitive suppliers, RESA likewise has standing to participate in this matter.

4. RESA/NGS Parties have a common concern about the way that Columbia manages its billing system, and in particular the current limit on rate codes available to suppliers. The current restriction is unreasonable and, in some cases, has prohibited suppliers from providing service to customers for lack of the ability to bill those customers. RESAS/NGS Parties also have concerns about operational requirements including balancing fees for transferring balances between customers; Columbia's failure to provide scheduling confirmation for all cycles; the

variable fees for transfers of balances between counterparties; and, intra-day and real time customer metering. All of these issues involve the fees charged and/or service provided by Columbia.

5. The Commission's regulations at 52 Pa. Code § 5.72(a)(2) establish the standard for eligibility to participate in a matter before the Commission as having 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." The NGS Parties have standing to participate in this matter because individually they serve customers on the Columbia system, all are charged fees by Columbia as a consequence of that service, and they each also receive services from Columbia, which means they all have an interest that will be directly affected by the outcome of this matter, their interests are not represented nor can they be adequately represented by any other party to this proceeding, and they will be bound by any action of the Commission in this proceeding. Because RESA is a trade association that has participated in innumerable Commission proceedings as a trade association comprised of participants in competitive markets its participation is in the public interest. Accordingly, RESA/NGS Parties Petition to Intervene should be granted.

WHEREFORE, RESA/NGS Parties respectfully request that the Presiding Administrative Law Judge and Commission, grant their Petition to Intervene in the above-captioned matter and provide them will full party status in this proceeding.

Respectfully submitted,



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DATED: April 11, 2021