

April 5, 2023

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

VIA ELECTRONIC FILING

Re: Joint Application of Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company, West Penn Power Company, Keystone Appalachian Transmission Company, Mid-Atlantic Transmission, LLC, and FirstEnergy Pennsylvania Company; Docket Nos. A-2023-3038771, A-2023-3038792, A-2023-3038793, A-2023-3038794, A-2023-3038795, A-2023-3038807, A-2023-3038808, G-2023-3038818, G-2023-3038819, G-2023-3038820, G-2023-3038821, and G-00020956

Dear Secretary Chiavetta:

Please find enclosed for filing with the Pennsylvania Public Utility Commission ("PUC" or "Commission") the Petition to Intervene of the Industrial Energy Consumers of Pennsylvania ("IECPA"), in the above-referenced matter.

This document was filed electronically with the Commission on this date. All parties are being served a copy of this document in accordance with the enclosed Certificate of Service.

Please contact the undersigned if you have any questions concerning this filing.

Sincerely,

SPILMAN THOMAS & BATTLE, PLLC

By



Derrick Price Williamson
Barry A. Naum

BAN/sds
Enclosures
c: Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Joint Application of Metropolitan Edison	:	
Company, Pennsylvania Electric Company,	:	
Pennsylvania Power Company, West Penn	:	
Power Company, Keystone Appalachian	:	Docket Nos. A-2023-3038771
Transmission Company, Mid-Atlantic	:	A-2023-3038792
Interstate Transmission, LLC, and FirstEnergy	:	A-2023-3038793
Pennsylvania Electric Company for All of the	:	A-2023-3038794
Necessary Authority, Approvals, and	:	A-2023-3038795
Certificates of Public Convenience for (1) the	:	A-2023-3038807
Agreements and Plans of Merger; (2) the	:	A-2023-3038808
Establishment of FirstEnergy Pennsylvania	:	G-2023-3038818
Holding Company LLC as an Intermediate	:	G-2023-3038819
Holding Company in the Chain of Ownership	:	G-2023-3038820
of FirstEnergy Pennsylvania Electric	:	G-2023-3038821
Company; (3) the Merger of Metropolitan	:	G-00020956
Edison Company, Pennsylvania Electric	:	
Company, Pennsylvania Power Company, and	:	
West Penn Power Company with and into	:	
FirstEnergy Pennsylvania Electric Company;	:	
(4) the Initiation by FirstEnergy Pennsylvania	:	
Electric Company of Electric Service in All	:	
Territories in this Commonwealth where	:	
Metropolitan Edison Company, Pennsylvania	:	
Electric Company, Pennsylvania Power	:	
Company, and West Penn Power Company Do	:	
or May Provide Electric Service; (5) the	:	
Abandonment by Metropolitan Edison	:	
Company, Pennsylvania Electric Company,	:	
Pennsylvania Power Company, and West Penn	:	
Power Company of All Electric Service in this	:	
Commonwealth; (6) the Adoption by	:	
FirstEnergy Pennsylvania Electric Company of	:	
Metropolitan Edison Company, Pennsylvania	:	
Electric Company, Pennsylvania Power	:	
Company, and West Penn Power Company's	:	
Existing Tariffs and their Application within	:	
New Service and Rate Districts of FirstEnergy	:	
Pennsylvania Electric Company	:	
Corresponding to their Electric Service	:	
Territories as the Met-Ed Rate District,	:	
Penelec Rate District, Penn Power Rate	:	
District, West Penn Rate District, and The	:	
Pennsylvania State University Rate District,	:	

Respectively; (7) the sale of Class B :
Membership Interest in Mid-Atlantic Interstate :
Transmission, LLC held by Met-Ed and :
Penelec to FirstEnergy Corp.; (8) the :
Contribution of West Penn Power Company's :
Transmission Assets to Keystone Appalachian :
Transmission Company; (9) a Certificate of :
Public Convenience Conferring Upon :
Keystone Appalachian Transmission Company :
the Status of a Pennsylvania Public Utility; :
(10) Where Necessary, Associated Affiliated :
Interest Agreements; and (11) Any Other :
Approvals Necessary to Complete the :
Contemplated Transaction :

CERTIFICATE OF SERVICE

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

VIA E-MAIL

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Barry A. Naum

Dated: April 5, 2023

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Joint Application of Metropolitan Edison	:	
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Company; (3) the Merger of Metropolitan	:	G-00020956
Edison Company, Pennsylvania Electric	:	
Company, Pennsylvania Power Company, and	:	
West Penn Power Company with and into	:	
FirstEnergy Pennsylvania Electric Company;	:	
(4) the Initiation by FirstEnergy Pennsylvania	:	
Electric Company of Electric Service in All	:	
Territories in this Commonwealth where	:	
Metropolitan Edison Company, Pennsylvania	:	
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Abandonment by Metropolitan Edison	:	
Company, Pennsylvania Electric Company,	:	
Pennsylvania Power Company, and West Penn	:	
Power Company of All Electric Service in this	:	
Commonwealth; (6) the Adoption by	:	
FirstEnergy Pennsylvania Electric Company of	:	
Metropolitan Edison Company, Pennsylvania	:	
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Existing Tariffs and their Application within	:	
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Corresponding to their Electric Service	:	
Territories as the Met-Ed Rate District,	:	
Penelec Rate District, Penn Power Rate	:	
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Pennsylvania State University Rate District,	:	

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Transmission Company; (9) a Certificate of :
Public Convenience Conferring Upon :
Keystone Appalachian Transmission Company :
the Status of a Pennsylvania Public Utility; :
(10) Where Necessary, Associated Affiliated :
Interest Agreements; and (11) Any Other :
Approvals Necessary to Complete the :
Contemplated Transaction :

**PETITION TO INTERVENE OF
THE INDUSTRIAL ENERGY CONSUMERS OF PENNSYLVANIA**

TO THE HONORABLE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Pursuant to 52 Pa. Code Sections 5.71 through 5.74, the Industrial Energy Consumers of Pennsylvania ("IECPA" or "Petitioner"), hereby files this Petition to Intervene in the above-captioned proceedings. In support thereof, the Petitioner state as follows:

1. Petitioner is IECPA.
2. The name and address of the Petitioner's attorneys are:

Derrick Price Williamson
Barry A. Naum
Steven W. Lee
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3. On March 6, 2023, Metropolitan Edison Company ("Met-Ed"), Pennsylvania Electric Company ("Penelec"), Pennsylvania Power Company ("Penn Power"), West Penn Power Company ("West Penn Power"), Keystone Appalachian Transmission Company ("KATCo"), Mid-Atlantic Interstate Transmission, LLC ("MAIT"), and FirstEnergy Pennsylvania Electric Company ("FE PA") ("Joint Applicants") filed with the Pennsylvania Public Utility Commission ("PUC" or "Commission") a Joint Application requesting

[A]uthority, approval, and certificates of public convenience for (1) the Agreements and Plans of Merger; (2) the establishment of FirstEnergy Pennsylvania Holding Company LLC ("FE PA HoldCo") as an intermediate holding company in the chain of ownership of FE PA; (3) the merger of Met-Ed, Penelec, Penn Power, and West Penn with and into FE PA; (4) the initiation by FE PA of electric service in all territories in this Commonwealth where Met-Ed, Penelec, Penn Power, and West Penn do or may provide electric service; (5) the abandonment by Met-Ed, Penelec, Penn Power, and West Penn of all electric service in this Commonwealth; (6) the adoption by FE PA of Met-Ed, Penelec, Penn Power, and West Penn's existing tariffs and their application within new service rate districts of FE PA corresponding to their existing service territories as Met-Ed ("ME") Rate District, Penelec ("PN") Rate District, Penn Power ("PP") Rate District, West Penn ("WP") Rate District, and The Pennsylvania State University ("PSU") Rate District, respectively; (7) the sale of the Class B membership interests in MAIT held by Met-Ed and Penelec to FirstEnergy Corp. ("FirstEnergy"); (8) the contribution of West Penn's transmission assets to KATCo ("Transmission Assets"); (9) a certificate of public convenience conferring upon KATCo public utility status; and (10) to the extent necessary, associated affiliated interest agreements.

Joint Application, pp. 1-2.

4. IECPA is an association of energy-intensive industrial consumers of electricity and natural gas taking service from a variety of regulated utilities in Pennsylvania. IECPA's members for the purpose of this proceeding¹ take service from Met-Ed, Penelec, Penn Power, and West

¹ For the purpose of this matter, IECPA's membership consists of: Air Products & Chemicals, Inc.; Benton Foundry, Inc.; Carpenter Technology Corporation; Cleveland-Cliffs Inc.; East Penn Manufacturing Company; Keystone Cement Company; Knouse Foods Cooperative, Inc.; and Proctor & Gamble Paper Products Company. Because its affected membership may change during the course of this case, IECPA will provide updates on its composition as necessary.

Penn, and can be counted among the largest retail customers in the Joint Applicants' service territories.


5. The Joint Application raises issues of concern for IECPA. Among other things, the proposed merger may impact electric reliability, customer service, and quality of service that the Petitioner currently receives. Furthermore, although the Joint Application cites a number of affirmative "benefits" that the proposed merger may produce for the Joint Applicants,² the Applicants make no specific explanation of any express, tangible benefits to the ratepayers of any of the Applicants, including their largest customers like IECPA members. Nor do the Joint Applicants offer any commitment to extend such tangible benefits to their customers, though the Joint Application does portend of future rate increases for certain, if not all, customers as a result of the planned consolidation of the Joint Applicants' tariffs. Accordingly, IECPA intends to actively participate in this matter to potentially address these and other relevant issues to insure that the Joint Application, if approved, is in the public interest.

7. The proposed consolidation and resolution of the attendant issues may directly affect the interests of IECPA and these interests are not adequately represented by existing participants in the case. Further, given the substantial economic and employment benefit that IECPA members provide throughout the service territories of the Joint Applicants, IECPA's interests in this case are of such a nature that its participation is in the public interest. See 52 Pa. Code § 5.72(a)(2) & (3).

² See generally Joint Application, pp. 3-6.

WHEREFORE, the Industrial Energy Consumers of Pennsylvania request that the Commission grant this Petition to Intervene and provide the Petitioner with full party status in this proceeding.

Respectfully submitted,

By 
Derrick Price Williamson (Pa. I.D. No. 69274)
Barry A. Naum (Pa. I.D. No. 204869)
Steven W. Lee (Pa. I.D. No. 332797)
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*Counsel to the Industrial Energy Consumers of
Pennsylvania*

Dated: April 5, 2023

VERIFICATION

I, Barry A. Naum, Counsel to the Industrial Energy Consumers of Pennsylvania, hereby state that the facts set forth in the foregoing Petition to Intervene are true and correct to the best of my knowledge, information, and belief. I understand that the statements made herein are made subject to 18 Pa.C.S. § 4904 (pertaining to unsworn falsification to authorities).

Date: April 5, 2023

A handwritten signature in blue ink, appearing to read 'B. Naum', is written over a solid horizontal line.

Barry A. Naum