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April 18, 2024

**Via Electronic Filing**

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

Re: Petition of PPL Electric Utilities Corporation for Approval of a Default Service Program  
and Procurement Plan from June 1, 2025 Through May 31, 2029 –  
Docket No. P-2024-3047290

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Dear Secretary Chiavetta:

Enclosed for electronic filing please find NRG Energy Inc.'s ("NRG") Petition to Intervene with regard to the above-referenced matter. Copies to be served in accordance with the attached Certificate of Service.

Sincerely



Karen O. Moury

KOM/lww  
Enclosure

cc: Hon. F. Joseph Brady w/enc.  
Cert. of Service w/enc.

## CERTIFICATE OF SERVICE

I hereby certify that this day I served a copy of NRG'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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April 18, 2024

A handwritten signature in black ink, appearing to read 'K. Moury', with a large, sweeping flourish extending to the right.

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Karen O. Moury, Esq.

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PPL Electric Utilities :  
Corporation for Approval of a Default : Docket No. P-2024-3047290  
Service Program and Procurement Plan :  
from June 1, 2025 Through May 31, 2029 :

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**PETITION TO INTERVENE  
OF NRG ENERGY, INC.**

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Pursuant to 52 Pa. Code §§ 5.72-5.75 and the public notice published in the *Pennsylvania Bulletin* on March 30, 2024, NRG Energy, Inc. (“NRG”) petitions to intervene in the Petition of PPL Electric Utilities Corporation (“PPL” or the “Company”) for Approval of its Default Service Program (“DSP Petition”). In support of its intervention, NRG states as follows:

1. On March 12, 2024, the Company filed a petition with the Pennsylvania Public Utility Commission (“Commission” or “PUC”) proposing to establish the terms and conditions under which it will procure default service supplies, provide default service to non-shopping customers, satisfy requirements imposed by the Alternative Energy Portfolio Standards Act (“AEPS Act”)<sup>1</sup> and recover all associated costs on a full and current basis for the period from June 1, 2025 through May 31, 2029.
2. By public notice published in the *Pennsylvania Bulletin* on March 30, 2024, the Commission established a deadline of April 19, 2024 for formal protests, petitions to intervene and answers. A telephonic prehearing conference has been scheduled for April 26, 2024 before Administrative Law Judge F. Joseph Brady.
3. NRG is a leading integrated energy and home services company built on dynamic retail brands and diverse generation assets, powered by its customer-focused strategy, strong

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<sup>1</sup> 73 P.S. §§ 1648.1-1648.8 and related provisions of 66 Pa. C.S. §§ 2813-2814.

balance sheet, and comprehensive sustainability framework. A Fortune 500 company, NRG brings the power of energy to millions of North American customers. Its family of brands help people, organizations and businesses achieve their goals by leveraging decades of market expertise to deliver tailored solutions. Working in concert, its dynamic multi-brand retail strategy coupled with its supply risk-management forms a uniquely positioned, integrated competitive energy provider. NRG's retail brands serve more than six million customers across North America, including a significant share in Pennsylvania, so significant, in fact, that NRG has two offices – in Philadelphia and Pittsburgh – that support its retail business. NRG's subsidiaries include electric generation suppliers ("EGSs") that serve customers in PPL's service territory.<sup>2</sup>

4. NRG's attorneys in this matter are:

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<sup>2</sup> As EGSs in Pennsylvania, NRG subsidiaries hold licenses as follows: Direct Energy Business, LLC – Docket No. A-11025; Direct Energy Business Marketing, LLC – Docket No. A-2013-2368464; Direct Energy Services, LLC – Docket No. A-110164; Energy Plus Holdings LLC – Docket No. A-2009-2139745; Gateway Energy Services Corporation – Docket No. A-2009-2137275; Independence Energy Group LLC d/b/a Cirro Energy – Docket No. A-2011-2262337; Reliant Energy Northeast LLC d/b/a NRG Home/NRG Business/NRG Retail Solutions – Docket No. A-2010-2192350; Green Mountain Energy Company – Docket No. A-2009-2139745; Stream Energy Pennsylvania, LLC – Docket No. A-2010-2181867; and XOOM Energy Pennsylvania, LLC – Docket No. A-2012-2283821.

5. The Commission’s regulations allow intervention where a person has an interest in the proceeding which may be directly affected and which is not adequately represented by existing parties, and as to which the person may be bound by the action of the Commission in the proceeding. 52 Pa. Code § 5.72(a)(2). Intervention is also permitted where participation of the person may be in the public interest. 52 Pa. Code § 5.72(a)(3). A “person” includes a corporation and an association. 52 Pa. Code § 1.8.

6. NRG meets the standards for intervention set forth in 52 Pa. Code § 5.72(a). As NRG subsidiaries actively serve retail electric consumers in the Company’s service territory, NRG has interests that will be directly affected by this proceeding.<sup>3</sup> NRG’s ability to provide electric supply to retail customers in the Company’s service territory will be specifically and substantially affected by the outcome of this proceeding, which will establish the terms and conditions under which the Company will acquire electric supply to serve its Default Service load from June 1, 2025 through May 31, 2029 and, thus, the rates against which NRG must compete to sell electricity to retail customers in the Company’s service territory.

7. In addition, the Petition addresses various issues that will directly affect the NRG’s provision of competitive alternative service to retail customers. This includes PPL’s proposals regarding the shopping contracts of customers who may subsequently enroll with PPL’s customer assistance program and PPL’s proposal to require affirmative consent for customers in the Standard Offer Program before they may remain with the existing supplier. In addition, PPL is proposing changes regarding its current Time Of Use product as well as its procurement requirements for wholesale default service suppliers. All of these proposals have

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<sup>3</sup> See *Respond Power, LLC v. Pa. Public Utility Commission*, 250 A.3d 547 (Pa. Cmwlth. 2021).

the potential to impact the ability of NRG to continue to offer competitive products and services in the PPL service territory.

8. NRG's interests in this proceeding are unique from and not adequately represented by other parties that may seek to intervene, including individual EGSs or other organizations interested in electric competition in Pennsylvania in general and in the Company's service territory in particular. As each of NRG's brands has its own value proposition and offers products and services aimed at delivering that value to customers, NRG's interests and perspectives are unique.

9. NRG subsidiaries will be bound by the action of the Commission in this proceeding, which will determine the Company's default service rates, terms and conditions beginning June 2025 as well as the terms and conditions for the various retail market enhancement programs proposed by the Company.

10. NRG's intervention is in the public interest. NRG's participation will enable it to contribute the unique perspectives and insights of its subsidiaries operating as licensed EGSs in the Company's service territory and offer a complete presentation of the issues to be addressed in this proceeding. It should be noted that NRG actively participated in the most recent default service proceeding that developed PPL's current default service plan as well as prior default service proceedings involving the Company.

11. NRG is reviewing the Company's filing and will be identifying issues to be addressed in this proceeding. Due to the early stage of this proceeding, NRG reserves the right to raise and address issues identified through its continued review and analysis of the Company's filing (and related information), or other issues raised by other parties.

**WHEREFORE**, NRG respectfully requests that the Commission grant its Petition to Intervene.

Respectfully submitted,



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Date: April 18, 2024

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