



April 26, 2024

Via Efiling

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

Re: Pennsylvania Public Utility Commission v. PECO Energy Company - Electric Division, Docket No. R-2024-3046931

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Petition to Intervene of The Tenant Union Representative Network (“TURN”) and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA) in the above-referenced case.

Sincerely,

/s/ Charlotte Edelstein

Charlotte E. Edelstein, Esquire
Attorney ID No. 334505

Enclosures

Cc: Certificates of Service

3. If PECO's rate request is approved, the average bill of a residential customer using 700 kilowatt hours (kWh) per month will increase by increase by \$16.67 from \$135.85 to \$152.52 or by 12.3% in 2025.
4. As part of its request, PECO proposes to increase its fixed customer charge for electric residential and residential heating customers from \$10.52 per month to \$14.30 per month.
5. The Commission's Regulations provide 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).
6. The Commission's Regulations permit intervention by persons claiming "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." 52 Pa. Code § 5.72(a)(2).
7. In Pennsylvania, an association may have standing as a representative of its members, provided the 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. See PPL Electric Utilities Corporation's Universal Service and Energy Conservation Plan for 2011-2013, Docket No. M-2010-2179796 (internal citations omitted).
8. The Commission has previously determined that a not-for-profit organization may have standing in a representational capacity, including both associations and not-for-profit corporations. PPL Electric Utilities Corporation's Universal Service and Energy Conservation Plan for 2011-2013, Docket No. M-2010-2179796, Opinion and Order dated May 5, 2011 at 11.

9. Petitions to intervene shall be filed no later than the date fixed for filing protests as published in the Pennsylvania Bulletin except for good cause shown. 52 Pa. Code §5.74(b)(2). TURN and CAUSE-PA timely submit this petition.
10. TURN is a not-for-profit advocacy organization composed of moderate- and low-income tenants, all either customers of or dependent on electricity service from PECO. In those capacities, they have a direct, immediate, substantial, and distinct interest in the impact of the proposed PECO rate increase.
11. TURN is located at 100 South Broad Street, Suite 800, Philadelphia, PA 19110.
12. 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. Many CAUSE-PA members depend on electricity from PECO and therefore have a direct, immediate, substantial, and distinct interest in the impact of the proposed PECO rate increase.
13. CAUSE-PA is located c/o the Pennsylvania Legal Aid Network, at 118 Locust Street, Harrisburg, PA 17101.
14. Intervenors were parties in prior Commission proceedings involving PECO, including, but not limited to, the following:
 - a. Petition of PECO Energy Company for Approval of a Default Service Program for the Period of June 1, 2025 through May 31, 2029 (DSP VI), Docket No. P-2024-3046008;
 - b. PECO Energy Company 2021 Base Rate Case, Docket No. R-2021-3024601;

- c. Petition of PECO Energy Company for Approval of its Default Service Plan (DSP V), Docket No. P-2020-3019290;
- d. In the Matter of PECO Energy Company Universal Service and Energy Conservation Plan for 2019-2024 Submitted in Compliance with 52 Pa. Code §§ 54.74 and 62.4, Docket No. M-2018-3005795;
- e. PECO Energy Company 2018 Base Rate Case, Docket No. R-2018-3000164;
- f. In the Matter of PECO Energy Company Universal Service and Energy Conservation Plan for 2016-2018 Submitted in Compliance with 52 Pa. Code §§54.74 and 62.4, Docket No. M-2015-2507139;
- g. PECO Energy Company 2015 Base Rate Case, Docket No. R-2015-2468981;
- h. Petition of PECO Energy Company for Approval of its Default Service Plan (DSP II), Docket No. P-2012-2283641, including appeal to Commonwealth Court and Petition for Allocatur to the Supreme Court of Pennsylvania;
- i. In the Matter of PECO Energy Company Universal Services Three-Year Plan 2013-2015 Submitted in Compliance with 52 Pa. Code §54.74, Docket No. M-2012-2290911;

Intervenors have a continuing interest in the impact of PECO's electric base rate filing on moderate- and low-income residential customers.

15. PECO's electric base rate filing is of critical importance to the low-income PECO residential customers and consumers who are members of TURN and CAUSE PA. Intervenors therefore have interests in this proceeding, which may be directly affected and which are not adequately represented by other participants, and as to which the petitioners may be bound by the action of the Commission in this proceeding.

16. Intervenors have preliminarily reviewed PECO's rate filing, and have tentatively identified the following issues:

- a. Whether a rate increase will result in unjust and unreasonable rates for Philadelphia's low-income residential customers;
- b. Whether PECO's proposal to increase its residential customer charge is just and reasonable;
- c. Whether PECO's proposal to increase the residential volumetric charge is just and reasonable;
- d. Whether a rate increase is justified given the quality of PECO's customer service;
- e. Whether PECO's proposed residential relief program adequately addresses the economic harm experienced by PECO's residential customers as a result of the COVID-19 pandemic and/or effectively mitigates the impact of the proposed rate increase on those customers;
- f. Whether PECO's proposed expanded customer outreach and education plan is sufficient and appropriately targeted;
- g. Whether PECO's universal service program rules, policies and practices have been successful in mitigating the impact of PECO's high rates on low-income customers;
- h. Whether PECO's proposed allocation of universal service program costs is reasonable; and
- i. Whether PECO's termination practices, payment agreement requirements, and collections policies have impeded access to service.

Intervenors reserve the right to examine any other issues that arise in the course of this proceeding.

17. Intervenors are represented by:

Charlotte E. Edelstein, Esquire
Joline R. Price, Esquire
Vikram A. Patel, Esquire
Robert W. Ballenger, Esquire

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18. Counsel for Intervenors consent to the service of documents by electronic mail to the email addresses of counsel listed above, as provided in 52 Pa. Code §1.54(b)(3).

WHEREFORE, TURN and CAUSE-PA respectfully request that the Public Utility Commission enter an order granting TURN and CAUSE-PA full status as interveners in this proceeding with active party status and grant such other relief as is just and appropriate.

Respectfully submitted,

/s/ Vikram Patel, Esq.
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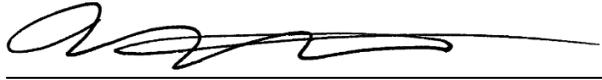
April 25, 2024

(215) 981-3700

VERIFICATION

I, Vikram Patel, on behalf of Tenant Union Representative Network (TURN) and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (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 18 Pa. C.S. §4904 (relating to unsworn falsification to authorities).

Date: April 25, 2024



Vikram Patel

Counsel for TURN and CAUSE-PA

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission
v.
PECO Energy Company - Electric Division

Docket No. R-2024-3046931

Certificate of Service

I hereby certify that I have this day served copies of the Petition to Intervene of the Tenant Union Representative Network and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania upon the parties of record in the above captioned proceeding in accordance with the requirements of 52 Pa. Code § 1.54.

VIA ELECTRONIC MAIL

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April 26, 2024

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