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May 30, 2024

Via Electronic Filing

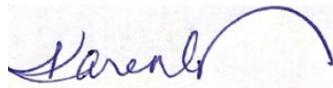
Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

Re: Petition of Duquesne Light Company for Approval of its Default Service Plan for the Period From June 1, 2025, through May 31, 2029 – Docket No. P-2024-3048592

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. Mary D. Long w/enc.
Hon. John Coogan 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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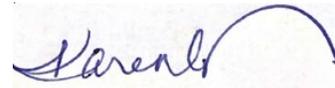
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Dated: May 30, 2024

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Duquesne Light Company for :
Approval of Its Default Service Plan for the : Docket No. P-2024-3048592
Period from June 1, 2025 Through May 31, 2029 :

PETITION TO INTERVENE OF NRG ENERGY, INC.

Pursuant to 52 Pa. Code §§ 5.72-5.75 and the public notice published in the *Pennsylvania Bulletin* on May 11, 2024, NRG Energy, Inc. (“NRG”) petitions to intervene in the Petition of Duquesne Light Company (“Duquesne Light” or the “Company”) for Approval of its Default Service Plan (“DSP Petition”). In support of its intervention, NRG states as follows:

1. On April 19, 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”)¹ 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 May 11, 2024, the Commission established a deadline of May 31, 2024 for formal protests, petitions to intervene and answers. A telephonic prehearing conference has been scheduled for June 7, 2024 before Administrative Law Judges Mary D. Long and John M. Coogan.

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

¹ 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 bring 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 in 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 Duquesne Light's service territory.²

4. NRG's attorneys in this matter are:

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² 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 customers in the Company’s service territory, NRG has interests that will be directly affected by this proceeding.³ 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 NRG’s provision of competitive alternative service to retail customers. This includes Duquesne Light’s proposal to implement a Green Tariff Pilot, which the Company states would allow customers on default service to receive green services from EGSs and/or third-party suppliers.

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

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

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 Duquesne Light'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: May 30, 2024

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