



April 3, 2025

VIA E-FILING

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

Re: *Pennsylvania Public Utility Commission v. Philadelphia Gas Works*, Docket No.
R-2025-3053112

Dear Secretary Chiavetta,

Please find enclosed the Petition to Intervene of the Energy Justice Advocates. As indicated on the attached Certificate of Service, service on the parties was accomplished by email only. Should you have any questions, please do not hesitate to contact me. Thank you.

Sincerely,

/s/ Devin McDougall

PA Attorney ID No. 329855

Supervising Senior Attorney

Earthjustice

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dmcDougall@earthjustice.org

(917) 628-7411

Counsel for the Energy Justice Advocates

cc:

Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, et al.

v.

Philadelphia Gas Works

Docket No. R-2025-3053112
Docket No. C-2025-3053827
Docket No. C-2025-3053978
Docket No. C-2025-3054216

CERTIFICATE OF SERVICE

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

Service By Email Only

Harrison W. Breitman, Esq. Ryan Morden, Esq. Katherine Kennedy, Esq. Keith D. Earls, Paralegal Office of Consumer Advocate 555 Walnut Street 5th Floor, Forum Place Harrisburg, PA 17101-1923 OCA25PGWBRC@paoca.org kearls@paoca.org <i>Counsel for OCA</i>	Rebecca Lyttle, Esq. Steven C. Gray, Esq. Office of Small Business Advocate Forum Place, 1st Floor 555 Walnut Street Harrisburg, PA 17101 relyttle@pa.gov sgray@pa.gov <i>Counsel for OSBA</i>
Carrie B. Wright, Esq. Michael A. Podskoch, Jr., Esq. Bureau of Investigation & Enforcement Pennsylvania Public Utility Commission Commonwealth Keystone Building 400 North Street Harrisburg, PA 17120 carwright@pa.gov mpodskoch@pa.gov <i>Counsel for BIE</i>	Daniel Clearfield, Esq. Bryce R. Beard, Esq. Eckert Seamans Cherin & Mellott, LLC 213 Market Street, 8th Floor Harrisburg, PA 17101 dclearfield@eckertseamans.com bbeard@eckertseamans.com <i>Counsel for PGW</i>

<p>Joline R. Price, Esq. Daniela E. Rakhlina-Powsner, Esq. Benjamin Clark, Esq. Robert W. Ballenger, Esq. Community Legal Services, Inc. 1424 Chestnut Street Philadelphia, PA 19102 jprice@clsphila.org drakhlinapowsner@clsphila.org bclark@clsphila.org rballenger@clsphila.org</p> <p><i>Counsel for TURN and CAUSE-PA</i></p>	<p>Charis Mincavage, Esq. McNeese Wallace & Nurick, LLC 100 Pine Street P.O. Box 1166 Harrisburg, PA 17108 cmincavage@mcneeslaw.com</p> <p><i>Counsel for the Philadelphia Industrial and Commercial Gas Users Group</i></p>
<p>Dennis A. Whitaker, Esq. Kevin J. McKeon, Esq. Todd S. Stewart, Esq. Hawke McKeon & Sniscak LLP 100 N 10th Street Harrisburg, PA 17101 dawhitaker@hmslegal.com kjmckeon@hmslegal.com tsstewart@hmslegal.com</p>	

Dated: April 3, 2025

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Docket No. R-2025-3053112
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PETITION TO INTERVENE OF THE ENERGY JUSTICE ADVOCATES

April 3, 2025

Pursuant to 52 Pa. Code §§ 5.72-5.75, POWER Interfaith, Sierra Club, Physicians for Social Responsibility Pennsylvania, Clean Air Council, Vote Solar, PennEnvironment, and the Pennsylvania Public Interest Research Group (collectively, the “Energy Justice Advocates”) hereby respectfully submit this Petition to Intervene in the above-captioned proceeding (the “Proceeding”) of the Pennsylvania Public Utility Commission (the “Commission”).

In support of this Petition to Intervene, the Energy Justice Advocates state as follows:

1. On February 27, 2025, Philadelphia Gas Works (“PGW”) filed with the Commission its proposed Supplement No. 176 to PGW’s Gas Service Tariff – Pa P.U.C. No. 2 (“Supplement No. 176”) and proposed Supplement No. 119 to PGW’s Supplier Tariff – Pa P.U.C. No. 1 (“Supplement No. 119”), collectively the “2025 Base Rate Case Filing” or “Filing.”

2. The 2025 Base Rate Case Filing is designed to increase PGW’s distribution base rates by approximately \$105 million per year, among other changes to PGW’s tariffs.

3. 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.”¹ A “person” includes a corporation and an association.²

4. Such an interest may be “[a]n interest which may be directly affected and which is not adequately represented by existing participants, and as to which the petitioner may be bound

¹ 52 Pa. Code § 5.72(a).

² 52 Pa. Code § 1.8(a); *See also Energy Conservation Council of Pennsylvania v. Pub. Util. Comm’n*, 995 A.2d 465, 476 (Pa. Commw. Ct. 2010) (“An association may have standing as a representative of its members...Thus, as long as an 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[, i.e., is aggrieved, the organization] has standing.’”) (internal citation omitted).

by the action of the Commission in the proceeding”³ or “another interest of such nature that participation of the petitioner may be in the public interest.”⁴

5. The Energy Justice Advocates meet these requirements, since they will be directly affected by the Proceeding, their interests are not adequately represented by existing parties in the Proceeding, and their participation in the Proceeding would be in the public interest.

6. POWER is a not-for-profit network of faith communities in Pennsylvania that is committed to racial and economic justice on a livable planet.

7. Members of POWER will be directly impacted by this proceeding and bound by the Commission’s action in it. Members of POWER live within PGW’s service territory, are customers of PGW, and will be subject to the outcome of this proceeding, including through impacts to their gas bills and the reliability, quality, and safety of their gas service.

8. POWER has an interest in ensuring that PGW’s rates are just and reasonable, including with respect to affordability and climate change. POWER’s interests in these areas would not be adequately represented by existing parties in this proceeding.

9. Sierra Club is a not-for-profit public interest advocacy organization that works to protect everyone’s right to a healthy world, including through practicing and promoting the responsible use of the earth’s ecosystems and resources.

10. Members of Sierra Club will be directly impacted by this proceeding and bound by the Commission’s action in it. Members of Sierra Club live within PGW’s service territory, are customers of PGW, and will be subject to the outcome of this proceeding, including through impacts to their gas bills and the reliability, quality, and safety of their gas service.

³ 52 Pa. Code § 5.72(a)(2).

⁴ 52 Pa. Code § 5.72(a)(3).

11. Sierra Club has an interest in ensuring that PGW's rates are just and reasonable, including with respect to affordability and climate change. Sierra Club's interests in these areas would not be adequately represented by existing parties in this proceeding.

12. Physicians for Social Responsibility Pennsylvania ("PSR PA") is a not-for-profit public interest advocacy organization that works to support safe and resilient communities for a healthy future by advocating for socially and environmentally just actions.

13. Members of PSR PA will be directly impacted by this proceeding and bound by the Commission's action in it. Members of PSR PA live within PGW's service territory, are customers of PGW, and will be subject to the outcome of this proceeding, including through impacts to their gas bills and the reliability, quality, and safety of their gas service.

14. PSR PA has an interest in ensuring that PGW's rates are just and reasonable, including with respect to affordability and climate change. PSR PA's interests in these areas would not be adequately represented by existing parties in this proceeding.

15. Clean Air Council is a not-for-profit public interest advocacy organization that is dedicated to protecting everyone's right to a healthy environment, including everyone's right to breathe clean air.

16. Members of Clean Air Council will be directly impacted by this proceeding and bound by the Commission's action in it. Members of Clean Air Council live within PGW's service territory, are customers of PGW, and will be subject to the outcome of this proceeding, including through impacts to their gas bills and the reliability, quality, and safety of their gas service.

17. Clean Air Council has an interest in ensuring that PGW's rates are just and reasonable, including with respect to affordability and climate change. Clean Air Council's

interests in these areas would not be adequately represented by existing parties in this proceeding.

18. Vote Solar is a not-for-profit public interest advocacy organization that works to achieve a 100% clean energy future that supports the needs, health, and well-being of everyone.

19. Members of Vote Solar will be directly impacted by this proceeding and bound by the Commission's action in it. Members of Vote Solar live within PGW's service territory, are customers of PGW, and will be subject to the outcome of this proceeding, including through impacts to their gas bills and the reliability, quality, and safety of their gas service.

20. Vote Solar has an interest in ensuring that PGW's rates are just and reasonable, including with respect to affordability and climate change. Vote Solar's interests in these areas would not be adequately represented by existing parties in this proceeding.

21. PennEnvironment is a not-for-profit public interest advocacy organization that works for clean air, clean water, clean energy, wildlife and open spaces, and a livable climate.

22. Members of PennEnvironment will be directly impacted by this proceeding and bound by the Commission's action in it. Members of PennEnvironment live within PGW's service territory, are customers of PGW, and will be subject to the outcome of this proceeding, including through impacts to their gas bills and the reliability, quality, and safety of their gas service.

23. PennEnvironment has an interest in ensuring that PGW's rates are just and reasonable, including with respect to affordability and climate change. PennEnvironment's interests in these areas would not be adequately represented by existing parties in this proceeding.

24. Pennsylvania Public Interest Research Group (“PennPIRG”) is a not-for-profit public interest advocacy organization that speaks out for the public and stands up to special interests on problems that affect the public’s health, safety, and wellbeing.

25. Members of PennPIRG will be directly impacted by this proceeding and bound by the Commission’s action in it. Members of PennPIRG live within PGW’s service territory, are customers of PGW, and will be subject to the outcome of this proceeding, including through impacts to their gas bills and the reliability, quality, and safety of their gas service.

26. PennPIRG has an interest in ensuring that PGW’s rates are just and reasonable, including with respect to affordability and climate change. PennPIRG’s interests in these areas would not be adequately represented by existing parties in this proceeding.

27. Additionally, it would serve the public interest for the Energy Justice Advocates to participate in this Proceeding. As the Commission has recognized, active participation by various subgroups of civil society aids the Commission in protecting the public’s welfare and advancing the public interest. As the Commission has noted, “In the context of a general rate increase case such as this one, the Commission is aided by the active participation of entities representing various subgroups of the entire public. A number of these active participants have a statutorily imposed obligation to provide this representation, while others are self-created entities choosing to represent a delineated subgroup. Taken as a whole, these active participants cover the entire spectrum of the public whose welfare is to be protected.”⁵

28. The Energy Justice Advocates are continuing to review PGW’s 2025 Base Rate Case Filing, and anticipate investigating its basis through discovery in order to formulate their

⁵ *Pennsylvania Pub. Util. Comm’n Off. of Consumer Advoc. Off. of Small Bus. Advoc. Jennifer Mattingly Brandi Brace Kim Kotyk Barbara Brennan Lindsey Yeider Wosik Roger & Maria Hogue Lisa Infantino Mark Lazo Bridgett Brosius v. UGI Utils., Inc. – Elec. Div.*, Docket Nos. C-2021-3024200 et al., 2021 WL 5051925, at *20–21 (Oct. 28, 2021 Pa. P.U.C.).

positions in this Proceeding. On initial review, the Energy Justice Advocates are concerned that PGW's Filing may not result in just and reasonable rates.

29. The Energy Justice Advocates are represented in this matter by:

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30. The Energy Justice Advocates consent to receive electronic service of documents as provided in 52 Pa. Code § 1.54(b)(3). The Energy Justice Advocates respectfully request that the following individuals receive service of any documents served via electronic mail to the Energy Justice Advocates:

- a. Devin McDougall, Esq. dmcdougall@earthjustice.org
- b. Mychal Ozaeta, Esq. mozaeta@earthjustice.org
- c. Rebecca Barker, Esq. rbarker@earthjustice.org
- d. Hema Lochan, Esq. hlochan@earthjustice.org
- e. Celine Busnelli, Litigation Assistant cbusnelli@earthjustice.org

WHEREFORE, the Energy Justice Advocates respectfully request that the Commission grant this Petition to Intervene.

Dated: April 3, 2025

Respectfully submitted,

/s/ Devin McDougall

PA Attorney ID No. 329855

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Counsel for the Energy Justice Advocates

VERIFICATION

I hereby verify that the facts contained in the foregoing Petition to Intervene are true and accurate 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 any hearing held in this matter. I understand that the statements herein are made subject to penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Dated: April 3, 2025

/s/ Devin McDougall
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