

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>Pennsylvania Public Utility Commission</b>	:	Docket No. R-2015-2468981
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<b>v.</b>	:	
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<b>PECO Energy Company – Electric Division</b>	:	

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**NOTICE OF INTERVENTION OF NATURAL RESOURCES DEFENSE COUNCIL**

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Pursuant to 52 Pa. Code §§ 5.72-5.75 Natural Resources Defense Council (“NRDC”) hereby files this Notice of Intervention in the above captioned proceeding, and in support of its intervention states as follows:

1. NRDC is an environmental organization and not-for-profit corporation with more than 1.4 million members and online activists, including nearly 54,000 in Pennsylvania. Since 1970, NRDC’s attorneys, scientists, and other environmental specialists have worked to protect the world’s natural resources, public health, and the environment. NRDC’s top institutional priority is curbing global warming emissions and building a clean energy future, among other things through the increased use of energy efficiency and renewable energy, including distributed generation.

2. NRDC has Pennsylvania members who reside in PECO’s service area, including but limited to Carson and Suzanne Morris, who reside at 521 Tasker Street, Philadelphia, PA 19148.

3. NRDC’s attorney in this matter is:

Mark C. Szybist, Esq.  
(PA ID 94112)  
E-Mail: mszybist@nrdc.org  
1152 15<sup>th</sup> St. NW, Suite 300  
Washington, DC 20005  
Telephone: (202) 289-2422

4. On March 27, 2015, PECO Energy Company ("PECO") submitted a rate filing, Tariff–Electric PA P.U.C. No. 5 ("Tarriff 5"), in which PECO proposes to increase its retail distribution rates by approximately \$190.1 million. If granted, this increase would raise PECO's distribution rates by an average of approximately 15.6%. For residential customers, PECO proposes to increase the customer charges for both Rate R and RH by 68.3%

5. PECO's proposed rate increase has the potential to impact the economics of energy efficiency and clean distributed generation for consumers who choose to install such demand side measures, slowing the deployment of these zero emissions resources and impeding the state's broader efforts to reduce carbon pollution.

6. The Commission's regulations allow intervention by persons, as defined in 52 Pa. Code § 1.8, where a person has an interest in the proceeding that may be directly affected and is not adequately represented by existing parties, and as to which the person may be bound by the action of the Commission. 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).

7. NRDC meets the standards for intervention set forth in 52 Pa. Code § 5.72(a) because NRDC is not only committed to expanding energy efficiency and renewable energy in Pennsylvania, thereby reducing the need to burn fossil fuels to generate electricity and emissions of carbon dioxide and other pollutants, but has expended organizational resources in Pennsylvania to expand the uses of these resources. Among other things, NRDC is a partner in

Energy Efficiency for All, a partnership that seeks to provide energy efficiency benefits to low-income persons who live in multifamily homes in Pennsylvania and several other states.

8. NRDC's interests in this proceeding are unique from and not adequately represented by other parties that may seek to intervene because of NRDC's long-standing commitment to improving air quality and expanding energy efficiency and renewable energy in Pennsylvania and elsewhere, and its employment of scientists and other persons with special expertise in air quality, energy efficiency, renewable energy, and public utility matters.

9. NRDC's intervention is in the public interest because, in addition to the special expertise noted above and NRDC's Pennsylvania-specific experience, NRDC's involvement in public utility proceedings in other jurisdictions has the potential to inform the proceedings in this matter.

10. Due to the early stage of this proceeding, NRDC reserves the right to raise and address issues identified through its continued review and analysis of PECO's rate increase proposal (and related information) or other issues raised by other parties.

**WHEREFORE**, NRDC respectfully requests that the Commission grant this Petition to Intervene.

Respectfully submitted,

/s/ Mark C. Szybist  
Attorney for Natural Resources Defense Council

Date: May 12, 2015

**VERIFICATION**

I verify that the facts contained in the foregoing pleading are true and accurate to the best of my knowledge and 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.

*/s/ Mark Szybist*  
Mark Szybist, Esquire

**CERTIFICATE OF SERVICE**

I hereby certify that this day I served a copy of NRDC's Notice of Intervention upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code § 1.54.

***Via First Class Mail***

Romulo L. Diaz, Jr., Esq. Jack R. Garfinkle, Esq. W. Craig Williams, Esq. PECO Energy Company 2301 Market Street PO Box 8699 Philadelphia, PA 19101	Thomas P. Gadsen, Esq. Anthony C. DeCusatis, Esq. Brooke E. McGlinn, Esq. Catherine G. Vasudevan Morgan, Lewis & Bockius LLC 1701 Market Street Philadelphia, PA 19103
Elizabeth Rose Triscari, Esquire Daniel G. Asmus, Esquire Office of Small Business Advocate 300 North Second Street, Suite 202 Harrisburg, PA 17101	Jennedy S. Johnson, Prosecutor Bureau of Investigation & Enforcement Pa. Public Utility Commission 400 North Street Harrisburg, PA 17120
Aron J. Beatty, Esq. Christy Appleby, Esq. Brandon J. Pierce, Esq. Office of Consumer Advocate 555 Walnut Street, 5 <sup>th</sup> Floor Harrisburg, PA 17101-1923	Thu B. Tran, Esq. Robert W. Ballenger, Esq. Community Legal Services, Inc. 1424 Chestnut Street Philadelphia, PA 19102
Charis Mincavage, Esq. McNees Wallace & Nurick 100 Pine Street PO Box 1166 Harrisburg, PA 17108	Elizabeth R. Marx, Esq. Harry S. Geller, Esq. Pennsylvania Utility Law Project 118 Locust Street Harrisburg, PA 17101
Kathleen Barksdale, Esq. Julie Holvik, Esq. United States General Services Administration 20 N. Eighth Street, Ste. 9088 Philadelphia, PA	Joseph Otis Minott, Esquire Ernest Logan Welde, Esquire Benjamin Z. Hartung, Esquire Clean Air Council 135 S. 19 <sup>th</sup> Street, Suite 300 Philadelphia, PA 19103

J. Barry Davis, Esquire Scott J. Schwarz, Esquire Jocelyn G. Hill, Esquire City of Philadelphia Law Department 1515 Arch Street, 16 <sup>th</sup> Floor Philadelphia, PA 19102	Josie B.H. Pickens, Esquire Community Legal Services, Inc. 1410 West Erie Avenue Philadelphia, PA 19140
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Date: May 12, 2015

/s/ Mark Szybist  
Mark Szybist, Esquire