



September 3, 2019

KENNETH L. MICKENS, ESQUIRE LLC
LEGAL CONSULTING

E-FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17105-3265

**Re: Petition of PPL Electric Utilities Corporation
For Approval of Tariff Modifications and Waivers of
Regulations Necessary to Implement its Distributed
Energy Resources Management Plan – Docket No. P-2019-
3010128 - Petition to Intervene of Sustainable Energy Fund**

Dear Secretary Chiavetta:

Enclosed for filing with the Commission is the Petition to Intervene of the Sustainable Energy Fund (“SEF”) in the above-captioned proceeding. I have also enclosed the Affidavit of John M. Costlow, the President of SEF. Copies have been served today on all known parties to this proceeding. A Certificate of Service is attached. Please contact me if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Kenneth L. Mickens". The signature is fluid and cursive.

Kenneth L. Mickens, Esquire
Attorney for the Sustainable
Energy Fund

KLM/bls
Certificate of Service
Enclosures

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Petition of PPL Electric Utilities
Corporation for Approval of
Tariff Modifications and
Waivers of Regulations Necessary
To Implement its Distributed
Energy Resources Management
Plan** : : **Docket No. P-2019-3010128**

**PETITION TO INTERVENE OF
THE SUSTAINABLE ENERGY FUND OF
CENTRAL EASTERN PENNSYLVANIA**

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

The Sustainable Energy Fund of Central Eastern Pennsylvania (“SEF”), by and through its attorney, Kenneth L. Mickens, hereby files this Petition to Intervene in the above-captioned proceeding pursuant to 52 Pa. Code § 5.71, *et. seq.* In support of its intervention, SEF avers as follows:

I. BACKGROUND

1. On May 24, 2019, PPL Electric Utilities Corporation (“PPL Electric” or “Company”) filed with the Pennsylvania Public Utility Commission (“Commission”) a Petition for Approval of Tariff Modifications and Waivers of Regulations Necessary to Implement its Distributed Energy

Resources (“DER”) Management Plan (Petition”) to establish the terms and conditions under which PPL Electric will monitor the function of DERs in its service territory.

2. In its effort to monitor DERs in its service territory, PPL Electric has proposed significant changes to the DER environment that could negatively impact participation in DER markets by PPL Electric ratepayers. SEF has several concerns with this Petition. First, the Petition appears to be premature because PPL Electric has over 8,000 DERs in its service territory or less than 0.6% of its 1.4 million customers with DERs. Second, PPL Electric states that the DERs add value to the local distribution system,¹ yet PPL Electric offers no method to compensate DER owners for the value they deliver to the distribution system. Third, PPL Electric has not clearly indicated who is going to pay the ongoing costs of the communications it proposes in its tariff. Moreover, SEF believes that PPL Electric already has at its disposal a much simpler method of monitoring by the installation of Smart Meters on the output of DERs at PPL Electric’s expense.² For these reasons and others, SEF seeks participation in this proceeding.

3. SEF is a Pennsylvania corporation established at the conclusion of PPL Electric’s Restructuring proceeding and pursuant to the terms of the

¹ PPL Electric Petition, p. 10.

² See, PPL Electric Petition, p. 15.

Joint Settlement of that proceeding, approved by the Commission's August 27, 1998 Order at Docket No. R-00973954. SEF's mission is to promote and invest in energy efficiency, energy conservation, renewable energy and energy education in order to provide opportunities and benefits for PPL Electric ratepayers.

4. SEF's address is as follows:

The Sustainable Energy Fund of Central Eastern Pennsylvania
4110 Independence Drive, Suite 100
Schnecksville, PA 18078

5. The name, address and telephone number of SEF's attorney are:

Kenneth L. Mickens, Esq.
PA Attorney I.D. #31255
316 Yorkshire Drive
Harrisburg, PA 17111
kmickens11@verizon.net (e-mail)
(717) 343-3338 (Telephone)
(717) 657-0938 (FAX)

II. SEF's INTEREST IN THE PROCEEDING

6. SEF's mission, as mentioned above, is to promote and invest in energy efficiency, energy conservation, renewable energy and energy education that provide opportunities and benefits for PPL Electric customers. In furtherance of its mission, SEF is engaged in projects that emphasize renewable energy sources, such as solar and wind power development, clean energy technologies, energy conservation and efficiency, as well as energy

education. In this regard, SEF has been certified as a Conservation Services Provider.

7. SEF's mission, in large part, is focused on reductions in consumption and demand for the non-renewable, non-sustainable production of electricity within the PPL Electric service territory. In fact, SEF is in the process of constructing a *net zero building* in the PPL Electric service territory, with future plans to install battery storage that would allow the building to divorce from the electric grid and operate when power to the facility is either curtailed or not available due to a failure of PPL Electric's distribution system or the grid at large. With PPL Electric having control of the DERs, at its discretion, it could shut down SEF's system, destroying the resiliency of the building. In other words, PPL Electric's proposed plans directly impact SEF, sustainable energy production and the reduction of non-sustainable sources of electricity. Consequently, SEF would like to explore the potential impact of PPL Electric's proposed changes concerning DERs.

8. Accordingly, SEF's intervention is necessary to ensure the development of a complete record on the reasonableness of the proposed plans. SEF has a unique perspective, in keeping with its mission to promote and invest in energy efficiency, energy conservation, renewable energy and energy education that provide opportunities and benefits for PPL Electric

ratepayers that cannot be represented by any other party to this proceeding. SEF submits that this unique interest coincides with the public interest and should be considered by the Commission.

9. Moreover, SEF has experience and expertise in matters of energy efficiency, energy conservation and consumer education such that its participation in this proceeding would benefit the record.

10. SEF intends to actively participate in this proceeding.

WHEREFORE, for the reasons discussed herein, the Sustainable Energy Fund of Central Eastern Pennsylvania requests that the Pennsylvania Public Utility Commission grant its Petition to Intervene in the above-captioned proceeding and grant it full party status.

Respectfully submitted,



Kenneth L. Mickens, Esq.

PA Attorney I.D. #31255

316 Yorkshire Drive

Harrisburg, PA 17111

E-Mail: kmickens11@verizon.net

Telephone: (717) 343-3338

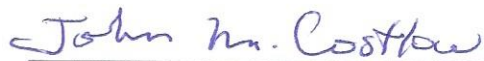
FAX: (717) 657-0938

Attorney for The Sustainable Energy
Fund

DATED: September 3, 2019

AFFIDAVIT

I, John M. Costlow, certify that I am the President/CEO of the Sustainable Energy Fund and that, in said capacity, I am authorized to and do make this Affidavit for it, that the facts set forth in the foregoing SEF Petition to Intervene (Docket # P-2019-3010128) are true and correct to the best of my knowledge, information and belief . I understand that false statements made herein are made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsifications to authorities.



John M. Costlow,
President/CEO
Sustainable Energy Fund

DATED: September 3, 2019

CERTIFICATE OF SERVICE
Docket No. P-2019-3010128

I hereby certify that I have this day served a copy of the foregoing Petition to Intervene via email and/or first-class mail upon the following participants in accordance with the requirements of 52 Pa. Code Section 1.54, *et. seq.* (relating to service by a participant):

David B. MacGregor, Esquire
Post & Schell, P.C.
Four Penn Center
1600 John F. Kennedy Blvd.
Philadelphia, PA 17103-2808

Devin T. Ryan, Esquire
Post & Schell P.C.
17 N. Second Street, 12th Floor
Harrisburg, PA 17101-1601

Kimberly A. Klock, Esquire
Michael J. Shafer, Esquire
PPL Services Corporation
Two North Ninth Street
Allentown, PA 18101

Sharon Pillar, President
Solar Unified Network
of Western Pennsylvania
1435 Bedford Ave., Suite 140
Pittsburgh, PA 15143

Phillip D. Demanchick, Esquire
David T. Evrard, Esquire
Darryl A. Lawrence, Esquire
Office of Consumer Advocate
555 Walnut Street, 5th Floor, Forum Place
Harrisburg, PA 17101-1923

Ed Merrick
VP Regulatory Affairs
Trinity Solar
2211 Allenwood Road
Wall, NJ 07719

Richard A. Kanaskie, Esquire
Bureau of Investigation & Enforcement
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor West
Harrisburg, PA 17120

Ric O'Connell
Gridlab
20120 University Ave
Berkeley, CA 94704


Joseph Morinville
Energy Independent Solutions LLC
2121 Noblestown Road, Suite 222
Pittsburgh, PA 15205

Mark Szybist, Esquire
Natural Resources Defense Council
1152 15th Street NW, Suite 300
Washington, DC 20005

Mark Bortman
Exact Solar
1655 Fairfield Road
Yardley, PA 19067

Steven Gray, Esquire
Office of Small Business Advocate
Suite 1102 Commerce Building
300 North Second Street
Harrisburg, PA 17101

Honorable Emily I. DeVoe
Office of Administrative Law Judge
Pennsylvania Public Utility Commission
Piatt Place
301 5th Avenue, Suite 220
Pittsburgh, PA 15222


Kenneth L. Mickens, Esq.
Attorney for the Sustainable Energy Fund

Sara Baldwin, VP
Interstate Renewable Energy
125 Wolf Road, Suite 207
Albany, NY 12205

Ron Celentano, President
PA Solar Energy Industries
Association
7821 Flourtown Avenue
Wyndmoor, PA 19038

James Van Nostrand, Esquire
Keyes & Fox LLP
275 Orchard Drive
Pittsburgh, PA 15228

Beren Argetsinger, Esquire
Keyes & Fox LLP
P.O. Box 166
Burdett, NY 14818

Dated: September 3, 2019