



April 2, 2020

Via E-File

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

**Re: Petition of PPL Electric Utilities Corporation for Approval of a Default Service Program for the Period of June 1, 2021 through May 31, 2025
Docket No. P-2020-3019356**

Petition to Intervene of CAUSE-PA

Dear Secretary Chiavetta,

Attached for filing, please find the Petition to Intervene of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania in the above referenced matter.

Copies of this Petition will be circulated in accordance with the attached Certificate of Service.

Respectfully submitted,
PENNSYLVANIA UTILITY LAW PROJECT
Counsel for CAUSE-PA



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CC: Per Certificate of Service

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of PPL Electric Utilities Corporation for :
Approval of a Default Service Program for the : Docket No. P-2020-3019356
Period of June 1, 2021 through May 31, 2025 :

**Petition to Intervene of the Coalition for Affordable Utility Services
and Energy Efficiency in Pennsylvania**

The Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (“CAUSE-PA”), through its counsel at the Pennsylvania Utility Law Project, hereby files this Petition to Intervene in the captioned proceeding, pursuant to the provisions of the Rules of Practice and Procedure of the Pennsylvania Public Utility Commission (“PUC” or “Commission”), 52 Pa. Code §§ 5.71-5.76, and in support, states as follows:

1. On March 25, 2020, PPL Electric Utilities Corporation (“PPL” or “the Company”) filed a Petition for Approval of their Default Service Programs for the period commencing June 1, 2021 through May 31, 2025 (Petition).

2. On March 26, 2020, PPL’s Petition was assigned to Office of Administrative Law.

3. Eligibility to intervene in Commission proceedings is governed by 52 Pa. Code § 5.72. This section provides, in relevant part, 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).

4. Section 5.72 further provides that the right or interest may be one “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).

5. Even though Section 5.72 speaks of the rights of a “person” to intervene, the Commonwealth Court has consistently stated that “an association may have standing as a representative of its members . . . 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.” Energy Cons. Council of Pa. v. Pa. PUC, 995 A.2d 465, 476 (Pa. Commw. Ct. 2010) (alteration in original) (citing Tripps Park v. Pa. PUC, 415 A.2d 967 (Pa. Commw. Ct. 1980); Parents United for Better Schools v. School Dist. of Phila., 614 A.2d 689 (Pa. Commw. Ct. 1994)).

6. CAUSE-PA is an unincorporated association of low and moderate 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.

7. CAUSE-PA membership is open to low and moderate income individuals residing in the Commonwealth of Pennsylvania who are committed to the goal of helping economically vulnerable households to maintain affordable access to utility services and achieve economic independence and family well-being.

8. CAUSE-PA is located, c/o the Pennsylvania Legal Aid Network, at 118 Locust Street, Harrisburg, PA 17101.

9. CAUSE-PA has interests in the impact that the proposed Default Service Plan will have on low and moderate income residential customers. These interests are not adequately

represented by other participants. Specifically, CAUSE-PA has an interest in and intends to investigate the following issues through the course of this proceeding:

- a. PPL's proposal to continue its Standard Offer Referral Program, as modified by its Petition (PPL Petition at 27-28);
- b. PPL's proposed protections for customers enrolled in its Customer Assistance Program, known as OnTrack. (PPL Petition at 30-32);
- c. PPL's Time of Use procurement and rate design proposal (PPL Petition at 33-34);
- d. PPL's Renewable Rate Program (PPL Petition at 35-48); and
- e. Any other issues that may arise through the course of litigation that may impact the accessibility and affordability of default service for low income consumers.

10. Each of the forgoing matters must be thoroughly reviewed through discovery and a hearing to ensure that the Company's economically vulnerable customers are not harmed and any approved programs are in the public interest.

11. CAUSE-PA was granted intervenor status and actively participated in prior proceedings relating to PPL's Petitions for Approval of its Default Service Programs.

12. Several members of CAUSE-PA are customers of PPL and will be directly affected by the outcome of this proceeding.¹ CAUSE-PA therefore has standing to intervene because at least one member has or will suffer a direct, immediate, and substantial injury to an interest as a result of this proceeding. See Energy Cons. Council of Pa., 995 A.2d at 476.

13. CAUSE-PA is represented in this proceeding by:

Elizabeth R. Marx, Esquire
John Sweet, Esquire
Ria Pereira, Esq.
Pennsylvania Utility Law Project

¹ Ms. Clara Smith, Ms. Cynthia Konick, and Mr. Phillip Smith are customers of PPL and members of CAUSE-PA.

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14. Counsel for CAUSE-PA consents to the service of documents by electronic mail to pulp@palegalaid.net, as provided in 52 Pa. Code § 1.54(b)(3).

WHEREFORE, CAUSE-PA respectfully request that the Public Utility Commission:

- (1) enter an order granting CAUSE-PA full status as an intervenor in this proceeding with active party status; and
- (2) grant such other relief as is just and appropriate.

Respectfully submitted,
PENNSYLVANIA UTILITY LAW PROJECT
Counsel for CAUSE-PA



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April 2, 2020

VERIFICATION

I, **Minta Livengood**, a member of the Executive Committee of the Coalition for Affordable Utility Services and Energy Efficiency (“CAUSE-PA”), on behalf of 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 10 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).



Ms. Minta Livengood

On behalf of the Executive Committee of
the Coalition for Affordable Utility Services
and Energy Efficiency in Pennsylvania
(CAUSE-PA)

Date: April 2, 2020

CERTIFICATE OF SERVICE

I hereby certify I have on this day served copies of the **Petition to Intervene of CAUSE-PA** in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Honorable Elizabeth Barnes Administrative Law Judge Pennsylvania Public Utility Commission Commonwealth Keystone Building 400 North Street, 2 nd Floor Harrisburg, PA 17120 ebarnes@pa.gov	Kimberly A. Klock, Esq. Michael J. Shafer, Esq. PPL Services Corporation Two North Ninth Street Allentown, PA 18101 kklock@pplweb.com mjshafer@pplweb.com
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