

Pennsylvania Public Utility Commission : R-2020-3017206
:
v. :
:
Philadelphia Gas Works :

PETITION TO INTERVENE OF TENANT UNION REPRESENTATIVE NETWORK AND ACTION ALLIANCE OF SENIOR CITIZENS OF GREATER PHILADELPHIA

Tenant Union Representative Network and Action Alliance of Senior Citizens of Greater Philadelphia (“TURN *et al.*”), through their counsel Community Legal Services of Philadelphia, hereby petition the Pennsylvania Public Utility Commission (“Commission”) to intervene in the above-captioned proceeding pursuant to 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, state as follows:

1. On February 28, 2020, Philadelphia Gas Works (PGW) filed a request with the PUC to increase the distribution base rates charged to PGW’s residential, commercial and industrial customers. In its filing, PGW proposes to increase its distribution rates by approximately \$70 million per year, effective April 28, 2020.
2. If PGW’s rate request is approved, the average bill of a residential customer will increase by 11.2% or from \$99.52 per month to \$110.68 per month. (PGW St. 1 at 8).
3. As part of its request, PGW proposes to increase its fixed customer charge from \$13.75 per month to \$19.25 per month. (PGW St. 1 at 7).
4. In its testimony, PGW asserts that it has undertaken numerous efforts to improve its customer service. (PGW St. 7). PGW maintains that since its last rate case it has led various efforts to improve overall customer satisfaction, including efforts related to its

low income Customer Responsibility Program (“CRP”) application process. (PGW St. 7 at 13-15).

5. In its testimony, PGW states that it recently issued a Request for Proposals for the replacement of its Customer Information System (“CIS”) which it believes will allow PGW to more effectively interact with customers. (PGW St. 7 at 15).
6. PGW maintains that customer service is improving in the view of its customers. (PGW St. 7 at 16-18).
7. 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.” 52 Pa. Code § 5.72(a).
8. The Commission’s Regulations permit intervention by persons claiming “an interest 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).
9. In Pennsylvania, an association may have standing as a representative of its members, provided the 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. PPL Electric Utilities Corporation’s Universal Service and Energy Conservation Plan for 2011-2013, Docket No. M-2010-2179796 (internal citations omitted). The Commission has previously determined that a not-for-profit organization may have standing in a representational capacity, including both associations and not-for-profit corporations.

PPL Electric Utilities Corporation's Universal Service and Energy Conservation Plan for 2011-2013, Docket No. M-2010-2179796, Opinion and Order dated May 5, 2011 at 11.

10. Intervenor Tenant Union Representative Network ("TURN") is a not-for-profit advocacy organization composed of moderate and low income tenants, many of whom are either customers of PGW or dependent on natural gas service from PGW. In those capacities, they have a direct, immediate, substantial and distinct interest in the impact of PGW's proposed rate case and the manner in which increased rates will burden or harm moderate and low income tenants. PGW's general base rate filing is of critical importance to the low income customers and consumers who are members of TURN who stand to benefit from affordable natural gas service and who, due to limited income, may be harmed disproportionately by the imposition of unjust and unreasonable rates. TURN is located at 100 South Broad Street, Suite 800, Philadelphia, PA 19120.
11. Intervenor Action Alliance of Senior Citizens of Greater Philadelphia ("Action Alliance") is a not-for-profit membership organization of senior citizens, many of whom are either customers of PGW or dependent on natural gas service from PGW. In those capacities, they have a direct, immediate, substantial and distinct interest in the impact of PGW's proposed rate case and the manner in which increased rates will burden or harm moderate and low income seniors. PGW's general base rate filing is of critical importance to the low income customers and consumers who are members of Action Alliance who stand to benefit from affordable natural gas service and who, due to limited income, may be harmed disproportionately by the imposition of unjust and unreasonable rates. Action Alliance is located at 2000 S. 58th Street, Apt. 602, Philadelphia, PA 19143.

12. TURN *et al.* were parties to PGW's last filed rate case at Docket No. R-2017-2586783.

TURN *et al.* were parties to prior Commission proceedings involving PGW, including, but not limited to, the following:

- a. Philadelphia Gas Works 2009 Base Rate Case, Docket No. R-2009-2139884;
- b. Philadelphia Gas Works Universal Service and Energy Conservation Plan for 2017-2022, Docket No. M-2016-2542415;
- c. Petition of Philadelphia Gas Works for Approval of Demand-Side Management Plan for FY 2016-2020 and Philadelphia Gas Works Universal Service and Energy Conservation Plan for 2014-2016 52 Pa Code § 62.4 – Request for Waivers, Docket No. P-2014-2459362.

13. In this proceeding TURN *et al.* seek to explore the justness and reasonableness of PGW's proposed rates; the effectiveness of PGW's efforts to improve customer service in light of its rate request; the economic effect of the proposed rates on moderate and low income tenants and seniors; and the effectiveness of PGW's universal service programs in mitigating the impact of PGW's high rates on low-income customers. These interests are not adequately represented by other participants in this proceeding.

14. PGW's general base rate filing is of critical importance to the low income PGW residential customers and consumers who are members of TURN *et al.* The petitioners therefore have interests in this proceeding, which may be directly affected and which are not adequately represented by other participants, and as to which the petitioners may be bound by the action of the Commission in this proceeding.

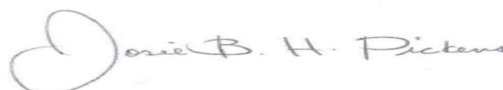
15. TURN *et al.* have preliminarily reviewed PGW's rate filing, and have tentatively identified the following issues:

- a. Whether a rate increase will result in unjust and unreasonable rates for Philadelphia's low-income residential customers, tenants, and seniors;

- b. Whether PGW's proposal to increase its residential customer charge is just and reasonable;
 - c. Whether PGW's proposal to increase the residential volumetric charge is just and reasonable;
 - d. Whether PGW's request is reasonable in light of other non-base rate revenues, opportunities for other revenues, and/or reductions in operating expenses;
 - e. Whether a rate increase is justified given the quality of PGW's customer service;
 - f. Whether PGW's universal service program rules, policies and practices have been successful in mitigating the impact of PGW's high rates on low-income customers and,
 - g. Whether PGW's termination practices, payment agreement requirements, and collections policies, have impeded access to service..
16. TURN *et al.* reserve the right to examine any other issues that arise in the course of this proceeding.
17. Intervenors are represented by:
- Josie B. H. Pickens, Esquire
Joline R. Price, Esquire
Robert W. Ballenger, Esquire
- COMMUNITY LEGAL SERVICES, INC.
1410 West Erie Avenue
Philadelphia, PA 19140
Telephone: 215-227-4378
Facsimile: 215-981-0435
E-mail: jpickens@clsphila.org; jprice@clsphila.org;
rballenger@clsphila.org;
18. Counsel for TURN *et al.* consent to the service of documents by electronic mail to the email addresses of counsel listed above, as provide for in 52 Pa. Code §1.54(b)(3).

WHEREFORE, TURN *et al.* respectfully request that the Commission enter an order granting TURN *et al.* full status as intervenors in this proceeding with active party status.

Respectfully submitted,

A handwritten signature in blue ink that reads "Josie B. H. Pickens". The signature is written in a cursive style with a large, looped initial "J".

Josie B. H. Pickens, Esquire (Attorney ID: 309422)
Joline R. Price, Esquire (Attorney ID: 315405)
Robert W. Ballenger, Esquire (Attorney ID: 93434)

Counsel for TURN *et al.*

COMMUNITY LEGAL SERVICES, INC.
1410 West Erie Avenue
Philadelphia, PA 19140
Telephone: 215-227-4378
Facsimile: (215) 599-1711 (fax)

Date: April 10, 2020

VERIFICATION

I, Phil Lord, on behalf of Tenant Union Representative Network (TURN), 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).

Date: April 10, 2020

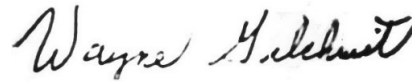
A handwritten signature in black ink that reads "Phil Lord". The signature is written in a cursive style with a horizontal line underneath it.

Title: Executive Director, TURN

VERIFICATION

I, Wayne Gilchrist, on behalf of Action Alliance of Senior Citizens of Greater Philadelphia, 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 18 Pa. C.S. §4904 (relating to unsworn falsification to authorities).

Date: April 10, 2020

A handwritten signature in black ink that reads "Wayne Gilchrist". The signature is written in a cursive style with a large initial 'W'.

Title: Chair, Action Alliance

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Certificate of Service

I hereby certify that I have this day served copies of the **Petition to Intervene of Tenant Union Representative Network and Action Alliance of Senior Citizens of Greater Philadelphia** upon the parties of record in the above captioned proceeding in accordance with the requirements of 52 Pa. Code §1.54 in the manner and upon the persons listed below.

VIA EMAIL

Gregory J. Stunder, Esq.
Philadelphia Gas Works
800 West Montgomery Avenue
Philadelphia, PA 19122
Greg.Stunder@pgworks.com

Darryl A. Lawrence, Esq.
Christy M. Appleby, Esq.
Santo G. Spataro, Esq.
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923
OCAPGW2020@paoca.org

Sharon E. Webb, Esq.
Daniel G. Asmus, Esq.
Office of Small Business Advocate
555 Walnut Street
Forum Place, 1st Floor
Harrisburg, PA 17101
swebb@pa.gov
dasmus@pa.gov

Daniel Clearfield, Esq.
Sharon Stoner, Esq.
Eckert Seamans Cherin & Mellott, LLC
213 Market Street
8th Floor
Harrisburg, PA 17101
dclearfield@eckertseamans.com
sstoner@eckertseamans.com

Graciela Christlieb, Esq.
Philadelphia Gas Works
800 West Montgomery Avenue
Philadelphia, PA 19122
Graciela.christlieb@pgworks.com

Carrie B. Wright, Esq.
Bureau of Investigation & Enforcement
PA Public Utility Commission
Commonwealth Keystone Building
400 North Street
P.O. Box 3265
Harrisburg, PA 17105
carwright@pa.gov

John W. Sweet, Esq.
Elizabeth R. Marx, Esq.
Ria M. Pereira, Esq.
Pennsylvania Utility Law Project
118 Locust Street
Harrisburg, PA 17101
pulp@palegalaid.net

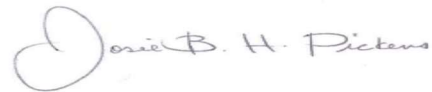
Charis Mincavage, Esq.
Adeolu A. Bakare, Esq.
Jo-Anne Thompson, Esq.
McNees Wallace & Nurick LLC
100 Pine Street
P.O. Box 1166
cmincavage@mcneeslaw.com
abakare@mcneeslaw.com
jthompson@mcneeslaw.com

Robert D. Knecht
Industrial Economics Incorporated
2067 Massachusetts Avenue
Cambridge, MA 02140
rdk@indecon.com

Todd S. Stewart, Esq.
Hawke McKeon & Sniscak LLP
100 North Tenth Street
Harrisburg, PA 17101
Tsstewart@hmslegal.com

Honorable Charles E. Rainey, Jr.
Chief Administrative Law Judge
PA Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105
crainey@pa.gov

Respectfully submitted,



Josie B. H. Pickens, Esquire
Attorney for TURN *et al.*
COMMUNITY LEGAL SERVICES, INC.
1410 West Erie Avenue
Philadelphia, PA 19140
(215) 227-4378

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