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August 25, 2020

**VIA ELECTRONIC FILING**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building 400 North Street, 2<sup>nd</sup> Floor  
Harrisburg, PA 17120

**Re: Public Utility Service Termination Proclamation of Disaster Emergency;  
Docket No. M-2020-3019244**

**Joint Petition of CAUSE-PA and TURN, et al. for Due Process Relief**

Dear Secretary Chiavetta:

Enclosed please find the Petition to Intervene of Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company in the above-referenced matter. This document has been served upon the parties as evidenced by the enclosed Certificate of Service.

Please contact me if you have any questions.

Very truly yours,



Tori L. Giesler

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Enclosures

c: As Per Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Public Utility Service Termination** :  
**Proclamation of Disaster Emergency –** : **Docket No. M-2020-3019244**  
**COVID-19** :

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**PETITION TO INTERVENE OF  
METROPOLITAN EDISON COMPANY, PENNSYLVANIA ELECTRIC COMPANY,  
PENNSYLVANIA POWER COMPANY AND WEST PENN POWER COMPANY**

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TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Pursuant to Section 52 Pa. Code §§ 5.72–5.74, Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company (hereinafter, collectively, the “Companies”) hereby file this Petition to Intervene in the above-captioned proceeding as well as incorporate the Answer filed by the Energy Association of Pennsylvania (“EAP”) on August 25, 2020. In support of this Petition, the Companies state as follows:

1. On August 5, 2020, the Tenant Union Representative Network (“Turn”), Action Alliance of Senior Citizens of Greater Philadelphia (“Action Alliance”) and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (“CAUSE-PA”) (hereinafter, collectively, the “Low Income Advocates”) filed a Joint Petition for Due Process Relief (the “Petition”) urging the Pennsylvania Public Utility Commission (“Commission”) to “initiate a public review process to fairly evaluate, on the record, whether the involuntary termination of utility service to a person’s home would exacerbate current risks to public health and hinder the response and recovery from COVID-19.”<sup>1</sup>

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<sup>1</sup> Petition at p. 6.

2. The Petition was filed to the Commission docket entitled “Public Utility Service Termination Proclamation of Disaster Emergency – COVID-19,” which was established when the Commission entered an Emergency Order on March 13, 2020, suspending involuntary termination of utility service and encouraging regulated utilities to reconnect service to households that were previously terminated. The Emergency Order was ratified at the Commission’s Public Meeting on March 26, 2020.

3. The Low Income Advocates only served the Petition upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Commission’s Bureau of Investigation and Enforcement and the EAP.

4. Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company are Commission-certificated public utilities providing electric distribution service to customers in Pennsylvania.

5. The Commission’s regulation at 52 Pa. Code § 5.72 permits a petition to intervene to 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).

6. A party is eligible to intervene under this section where it can demonstrate “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).

7. The Commonwealth Court held that intervention is proper where a party’s interest in the proceeding is “substantial, immediate, and direct.” *George v. Pa. Pub. Util. Comm’n*, 735

A.2d 1282, 1286 (Pa. Commw. Ct. 1999); *see also Re: Equitable Gas Co.*, 76 Pa. P.U.C. 23 (Opinion and Order dated Jan. 16, 1992).

8. As a certificated public utility in Pennsylvania, each of the Company's has an interest in the proceeding, will be directly affected, is not adequately represented by existing participants, and will be bound by the action of the Commission in the proceeding.

9. Specifically, the proceeding could further impact the Companies' ability to terminate service for non-payment of electricity consumption and hinder their ability to recover outstanding arrearages that impact the Companies' uncollectible expenses, which are then shouldered by other customers, who dutifully and regularly provide payment for their utility service. *Cf., Bolt v. Duquesne Light Co.*, 66 Pa. P.U.C. 463 (1988); *O'Toole v. The Bell Telephone Company of Pennsylvania*, Docket No. C-923964 (Final Order entered August 20, 1992).

10. In addition, the Petition contemplates the establishment of additional "consumer protections" through a public review process that is neither defined nor accompanied by any recommended timeline or action period, the outcome of which has the potential to require significant process and system changes to the Companies, as well as drive what may be significant increases to their costs of operation.

11. On August 25, 2020, the EAP filed an answer to the Petition which the Companies, as members of the EAP, incorporate by reference herein.

12. The Companies further aver that even though they are members of the EAP, they believe that it is in their best interests to intervene in the above-referenced matter as no other party, not even the EAP, may adequately represent the Companies' specific and unique interests in this proceeding as no other party is responsible for the Companies' billing and collections operations, nor for identifying how the Companies will recoup or otherwise cover their costs of operations.

Therefore, the Companies are uniquely impacted by the developments and outcome of this proceeding.

13. For all of the above reasons, there are no other parties that can adequately represent the interests of the Companies in this proceeding and, as such, the Companies' Petition to Intervene should be granted.

WHEREFORE, Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company respectfully request that the Commission grant this Petition to Intervene.

Respectfully submitted,

Dated: August 25, 2020



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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Public Utility Service Termination** :  
**Proclamation of Disaster Emergency –** : **Docket No. M-2020-3019244**  
**COVID-19** :

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the Petition to Intervene of Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company upon the individuals listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

Service by electronic mail, as follows:

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Dated: August 25, 2020



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